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## TITLE 3—THE PRESIDENT

### PROCLAMATION 2929

CARRYING OUT THE TORQUAY PROTOCOL TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE AND FOR OTHER PURPOSES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1. WHEREAS (pursuant to the authority vested in the President by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended by section 1 of the act of June 12, 1934, by the joint resolution approved June 7, 1943, and by sections 2 and 3 of the act of July 5, 1945 (ch. 474, 48 Stat. 943; ch. 118, 57 Stat. 125; ch. 269, 59 Stat. 410), the period for the exercise of the authority under the said section 350 having been extended by section 1 of the said act of July 5, 1945, until the expiration of three years from June 12, 1945) on October 30, 1947, I entered into a trade agreement with the Governments of the Commonwealth of Australia, the Kingdom of Belgium, the United States of Brazil, Burma, Canada, Ceylon, the Republic of Chile, the Republic of China, the Republic of Cuba, the Czechoslovak Republic, the French Republic, India, Lebanon, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, New Zealand, the Kingdom of Norway, Pakistan, Southern Rhodesia, Syria, the Union of South Africa, and the United Kingdom of Great Britain and Northern Ireland, which trade agreement consists of the General Agreement on Tariffs and Trade and the related Protocol of Provisional Application thereof, together with the Final Act Adopted at the Conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment which authenticated the texts of the said General Agreement and the said Protocol (61 Stat. (Parts 5 and 6) A7, A11 and A2051);

2. WHEREAS, by Proclamation No. 2761A [1] of December 16, 1947 (61 Stat. 1103), I proclaimed such modifications of existing duties and other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States of America as were then found to be required or appropriate to carry out the said trade agreement specified in the first recital of this proclamation on and after January 1, 1948, which proclamation has been supplemented by the proclamations referred to in the second recital of Proclamation No. 2867 [2] of December 22, 1949 (3 CFR, 1949 Supp., p. 55), and by the said proclamation of December 22, 1949, Proclamation No. 2874,[3] of March 1, 1950, Proclamation No. 2884 [4] of April 27, 1950, Proclamation No. 2888 [5] of May 13, 1950, Proclamation No. 2901 [6] of September 6, 1950, Proclamation No. 2908 [7] of October 12, 1950, and Proclamation No. 2912 [8] of October 30, 1950 (3 CFR, 1950 Supp., pp. 21, 28, 32, 51, 63, and 68);

3. WHEREAS, I, HARRY S. TRUMAN, President of the United States of America, have found as a fact that certain existing duties and other import restrictions of the United States of America, the Republic of Austria, the Kingdom of Belgium, the United States of Brazil, Canada, the Kingdom of Denmark, the Dominican Republic, the French Republic, the Federal Republic of Germany, the Republic of Indonesia, the Italian Republic, the Republic of Korea, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Kingdom of Norway, Peru, the Kingdom of Sweden, and the Republic of Turkey are unduly burdening and restricting the foreign trade of the United States of America and that the purposes declared in the said section 350 of the Tariff Act of 1930, as amended by the acts specified in the first recital of this proclamation and by sections 4 and 6 of the Trade Agreements Extension Act of 1949 (63 Stat. 698), will be promoted by a trade agreement between the Government of the United States of America and the Governments

[1] 12 F. R. 8863.

[2] 14 F. R. 7723.
[3] 15 F. R. 1217.
[4] 15 F. R. 2479.
[5] 15 F. R. 3043.
[6] 15 F. R. 6063.
[7] 15 F. R. 6981.
[8] 15 F. R. 7415.

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### THE PRESIDENT



### EXECUTIVE AGENCIES

FEDERAL REGISTER

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## CODIFICATION GUIDE

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## CODIFICATION GUIDE—Con.



of some or all of the other countries named in this recital;

4. WHEREAS reasonable public notice of the intention to conduct trade-agreement negotiations with the governments of the countries other than the United States of America named in the third recital of this proclamation was given, the views presented by persons interested in such negotiations were received and considered, and information and advice with respect to such negotiations was sought and obtained from the United States Tariff Commission, the Departments of State, Defense, Agriculture, and Commerce, and from other sources;

5. WHEREAS (pursuant to the authority vested in the President by the Constitution and the statutes, including the said section 350 of the Tariff Act of 1930, as amended by the acts specified in the first and third recitals of this proclamation, the period for the exercise of the authority to enter into trade agreements under the said section 350 having been extended by section 3 of the Trade Agreements Extension Act of 1949 until the expiration of three years from June 12, 1948), the trade-agreement negotiations with the countries named in the third recital of this proclamation having been successfully carried out, on April 21, 1951, I entered, through my duly empowered plenipotentiary, into a trade agreement providing for the accession to the said General Agreement specified in the first recital of this proclamation of the Governments of the Republic of Austria, the Federal Republic of Germany, the Republic of Korea, the Republic of the Philippines, Peru, and the Republic of Turkey, and for the application of the relevant provisions of the said General Agreement to additional schedules of concessions relating to countries already contracting parties thereto, including the countries named in the third recital of this proclamation other than the United States of America and other than those countries previously named in this recital, which trade agreement consists of the Torquay Protocol to the General Agreement on Tariffs and Trade, dated April 21, 1951, including the Annexes thereto, authentic in the English and French languages as indicated therein, a copy of which is annexed to this proclamation;[9]

[9] Not printed in the FEDERAL REGISTER: The English text of the protocol has been published by the Contracting Parties to the General Agreement on Tariffs and Trade, under the title of "The Torquay Protocol to the General Agreement on Tariffs and Trade and the Torquay Schedules of Tariff Concessions", Geneva, 1951. The English text of "Torquay Schedule XX (United States of America)" has been published by the Department of State as Publication 4228 (Commercial Policy Series 136), and will be reproduced in Treasury Decisions (Customs). The text in the languages in which authentic, together with an English translation of those portions authentic in French only, will be published in Treaties and Other International Acts Series and in United States Treaties and Other International Agreements.

6. WHEREAS, in view of the provisions of section 508 of the Philippine Trade Act of 1946 (ch. 244, 60 Stat. 158), no trade-agreement negotiations were entered into by the Government of the United States of America with the Government of the Republic of the Philippines and Article XXXV of the said General Agreement specified in the first recital of this proclamation, as amended by the Protocol Modifying Certain Provisions of the General Agreement on Tariffs and Trade, dated March 24, 1948 (Treaties and Other International Acts Series 1761–1765, p. 49), has been invoked to prevent the General Agreement from applying between the United States of America and the Republic of the Philippines;

7. WHEREAS, the said Torquay Protocol specified in the fifth recital of this proclamation having been signed on behalf of the Government of the United States of America on April 21, 1951, pursuant to paragraph 3 thereof, Schedule XX contained in Annex A thereto will become a schedule to the General Agreement relating to the United States of America on June 6, 1951;

8. WHEREAS, under paragraph 4 of the said Torquay Protocol specified in the fifth recital of this proclamation, a government which has signed the said Torquay Protocol may withhold in whole or in part any concession provided for in the schedule annexed thereto which was initially negotiated with a government which has not signed the said Torquay Protocol;

9. WHEREAS I find that each modification of existing duties and other import restrictions of the United States of America and each continuance of existing customs or excise treatment of articles imported into the United States of America which is hereinafter proclaimed in Part I of this proclamation will be required or appropriate to carry out the said trade agreement specified in the said fifth recital of this proclamation on and after such date as may be notified by the President to the Secretary of the Treasury, and published in the FEDERAL REGISTER,[10] as the date on and after which the President considers such modification or undertaking to continue treatment should not be withheld pursuant to the said paragraph 4 of the Torquay Protocol referred to in the eighth recital of this proclamation;

10. WHEREAS item 781 [part] (Geneva), item 1205 [first] (Geneva), and items 1532 (a) [part] (Geneva) and 1532 (a) in Part I of Schedule XX contained in Annex A to the said Torquay Protocol specified in the fifth recital of this proc-

[10] See F. R. Doc. 51-6617, *infra*.

lamation provide for the withdrawal in part of each of items 781, 1205 [first], and 1532 (a), respectively, in Part I of Schedule XX (original) to the said General Agreement specified in the first recital of this proclamation;

11. WHEREAS (pursuant to the authority vested in the President by the Constitution and the statutes, including the said section 350 of the Tariff Act of 1930, as amended by the acts specified in the first recital of this proclamation, the period for the exercise of the authority under the said section 350 having been extended by section 1 of the said act of July 5, 1945, until the expiration of three years from June 12, 1945) on October 30, 1947, I entered into an exclusive trade agreement with the Government of the Republic of Cuba (61 Stat. (pt. 4) 3699), which exclusive trade agreement includes certain portions of other documents made a part thereof and provides for the treatment in respect of ordinary customs duties of products of the Republic of Cuba imported into the United States of America;

12. WHEREAS, by Proclamation No. 2764 of January 1, 1948 (3 CFR, 1948 Supp., p. 11), I proclaimed such modifications of existing duties and other import restrictions of the United States of America in respect of products of the Republic of Cuba and such continuance of existing customs and excise treatment of products of the Republic of Cuba imported into the United States of America as were then found to be required or appropriate to carry out the exclusive trade agreement specified in the eleventh recital of this proclamation on and after January 1, 1948, which proclamation has been supplemented by the proclamations referred to in the fourth recital of the said proclamation of December 22, 1949, specified in the second recital of this proclamation, and by the said proclamations of December 22, 1949, March 1, 1950, April 27, 1950, May 13, 1950, September 6, 1950, and October 12, 1950, specified in the second recital of this proclamation;

13. WHEREAS I determine that, in view of the finding set forth in the ninth recital of this proclamation, each of the following amendments, or an appropriate part of such an amendment, of the list set forth in the ninth recital of the said proclamation of January 1, 1948, specified in the twelfth recital of this proclamation, as amended and rectified, will be required or appropriate to carry out the said exclusive trade agreement specified in the eleventh recital of this proclamation on and after the date notified by the President to the Secretary of the Treasury in accordance with Part I (b) (I) of this proclamation with respect to the application of the concession, or of the corresponding part of a concession, in Part I of Schedule XX contained in Annex A to the said Torquay Protocol specified in the fifth recital of this proclamation which is identified in the column at the left of the respective amendment:

| Items in Part I, Schedule XX, Torquay Protocol | Amendments of items in the 9th recital of the Proclamation of Jan. 1, 1948 |
|---|---|
| 28 (a) [second] | The further amendment of the description in item 28 (a) [second], as amended, to read: "2-Benzyl-4, 5-imidazoline hydrochloride, methylphenethylhydantoin, phenylbenzylaminoethyl imidazoline hydrochloride, and other products derived from imidazoline or hydantoin; all the foregoing, if medicinals and obtained, derived, or manufactured in whole or in part from any of the products provided for in paragraph 27 or 1651, Tariff Act of 1930". |
| 205 (e) | The deletion of item 205 (e). |
| 411 | The insertion in item 411, as amended, of "or osier or willow" after "straw" within the parentheses. |
| 412 [first] | The deletion of item 412 [second]. |
| 724 | The amendment of the description in item 724 [first] by inserting the following after "maize" and before the comma: "(except seed corn or maize, certified by a responsible officer or agency of a foreign government in accordance with the rules and regulations of that government to have been grown and approved especially for use as seed, in containers marked with the foreign government's official certified seed corn tags)". |
| 804 [first] | The amendment of the description in item 804 to read: "Still wines produced from grapes, containing over 14% of absolute alcohol by volume (except such wines entitled under regulations of the United States Bureau of Internal Revenue to a type designation which includes the name 'Marsala,' if so designated on the approved label, and if in containers holding each not over 1 gallon; and not including vermuth)". |
| 1513 [first] | The further amendment of the description in item 1513 [the third such item, as originally set forth in the Proclamation of January 1, 1948], as amended, to read: "Dolls wholly or in chief value of china, porcelain, parian, bisque, earthenware, or stoneware; and parts of dolls (including clothing), and doll heads, of whatever materials composed (except those wholly or in chief value of any product provided for in paragraph 31, Tariff Act of 1930, and except those in any part, however small, of any of the laces, fabrics, embroideries, or other materials or articles provided for in paragraph 1529 (a), Tariff Act of 1930)". |
| 1513 [third] | The deletion of item 1513 [the fourth such item, as originally set forth in the Proclamation of January 1, 1948]. |
| 1513 [sixth] and 1513 [seventh]. | The further amendment of item 1513 [the fifth such item, as originally set forth in the Proclamation of January 1, 1948], as amended, by deleting "Other" and substituting therefor the following: "Stuffed animal figures not having a spring mechanism, not over 6 inches high and valued under 35 cents each, or over 6 but not over 11 inches high and valued under $1 each, or over 11 but not over 14 inches high and valued under $2 each, or over 14 inches high and valued under $3.50 each". |
| 1516 | The deletion of item 1516. |
| 1530 (e) [first] | The further amendment of item 1530 (e), as amended, to read as follows: "1530 (e) Boots, shoes, or other footwear (including athletic or sporting boots and shoes), made wholly or in chief value of leather, not specially provided for: Huaraches ..... 18% ad val. Turn or turned boots and shoes (except those for women and misses) ... 8% ad val. Turn or turned footwear for men, youths, or boys (except boots and shoes) ..... 16% ad val." |
| 1537 (b) [first] | The amendment of item 1537 (b), as rectified, by the insertion of "heels and soles for footwear," after "or other footwear," within the parentheses. |
| 1541 (a) [first]; 20% ad val. [first such rate]. | The amendment of item 1541 (a) by inserting "(except bows for stringed instruments and parts of such bows)" before the period at the end of the description. |
| 1544 | The deletion of item 1544, added by the aforesaid proclamation of November 30, 1949 |
| 1558 | The further amendment of item 1558, as amended, to read as follows: "1558 All articles manufactured, in whole or in part, not specially provided for: Coconut shell char and marine glue pitch ..... 16% ad val. Dog food, unfit for human consumption ..... 8% ad val Edible preparations for human consumption: Preparations for flavoring or seasoning food, in chief value of yeast extract and containing no alcohol (not including sauces) ..... 10% ad val. Other (except banana flour, frog legs, plantain flour, thick soy, and yeast) ..... 16% ad val." |

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the statutes, including the said section 350 of the Tariff Act of 1930, as amended by the acts specified in the first and third recitals of this proclamation, do proclaim as follows:

PART I

To the end that the said trade agreement specified in the fifth recital of this proclamation may be carried out:

(a) Subject to the provisions of subdivision (b) of this Part, such modifications of existing duties and other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States of America as are specified or provided for in paragraphs 1 to 12, inclusive, of the said Torquay Protocol specified in the fifth recital of this proclamation and in Schedule XX contained in Annex A thereto, except the items therein which are identified in the tenth recital of this proclamation, shall be effective on and after June 6, 1951.

(b) The application of the provisions of subdivision (a) of this Part shall be subject to the applicable terms, conditions, and qualifications set forth in paragraphs 1 to 12, inclusive, of the said Torquay Protocol, in Schedule XX contained in Annex A thereto, in Parts I, II, and III of the said General Agreement specified in the first recital of this Proclamation, in Part I of, and the general notes in, Schedule XX (original) thereof, and in the said Protocol of Provisional Application specified in the first recital of this proclamation, including any applicable amendments and rectifications of the said General Agreement; and the application of the said provisions of subdivision (a) shall also be subject to the exception that no rate of duty or import tax shall be applied to a particular article by virtue of this proclamation if, when the article is entered, or withdrawn from warehouse, for consumption—

(I) the date is prior to the date which may be notified by the President to the Secretary of the Treasury and published in the FEDERAL REGISTER as the date on and after which the concession represented by such rate should not be withheld; or

(II) more favorable customs treatment is prescribed for the article by any of the following then in effect: (i) a proclamation pursuant to the said section 350 of the Tariff Act of 1930, as amended, but the application of such more favorable treatment shall be subject to the qualifications set forth in paragraph 3 (d) of the said Torquay Protocol and in the second paragraph of the general notes in Schedule XX contained in Annex A thereto; or

(ii) any other proclamation, a statute, or an executive order, which proclamation, statute, or order either provides for an exemption from duty or import tax or became effective subsequent to April 21, 1951.

PART II

To the end that the said exclusive trade agreement specified in the eleventh recital of this proclamation may be carried out, the list set forth in the ninth recital of the said proclamation of January 1, 1948, as amended and rectified, shall be further amended as specified in the thirteenth recital of this proclamation.

PART III

The said proclamation of December 16, 1947, specified in the second recital of this proclamation, as amended and rectified, and the said proclamations supplemental thereto referred to in the second recital of this proclamation are hereby terminated to the extent that each of items 781, 1205 [first], and 1532 (a) in Part I of Schedule XX (original) of the said General Agreement specified in the first recital of this proclamation, effective on and after July 6, 1951, shall be applied with the modifications provided for in item 781 [part] (Geneva), item 1205 [first] (Geneva), and items 1532 (a) [part] (Geneva) and 1532 (a), respectively, in Part I of Schedule XX contained in Annex A to the said Torquay Protocol specified in the fifth recital of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this second day of June in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-fifth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
*Secretary of State.*

[F. R. Doc. 51-6616; Filed, June 5, 1951; 2:49 p. m.]

## EXECUTIVE ORDER 10250

PROVIDING FOR THE PERFORMANCE OF CERTAIN FUNCTIONS OF THE PRESIDENT BY THE SECRETARY OF THE INTERIOR

By virtue of the authority vested in me by section 11 of the act of February 22, 1935, 49 Stat. 33, and section 1 of the act of August 8, 1950, 64 Stat. 419 (Public Law 673, 81st Congress), and as President of the United States, it is ordered as follows:

1. The Secretary of the Interior is hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 1 of the act of July 10, 1935, ch. 375, 49 Stat. 477 (16 U. S. C. 19), to appoint members of the National Park Trust Fund Board.

(b) The authority vested in the President by section 2059 of the Revised Statutes (25 U. S. C. 62) to discontinue any Indian agency, or transfer the same, from the place or tribe designated by law to such other place or tribe as the public service may require.

(c) The authority vested in the President by section 6 of the act of May 17, 1882, ch. 163, 22 Stat. 88, as amended (25 U. S. C. 63), to consolidate two or more Indian agencies into one, to consolidate one or more Indian tribes, and to abolish such agencies as are thereby rendered unnecessary.

(d) The authority vested in the President by the act of March 1, 1907, ch. 2285, 34 Stat. 1016 (25 U. S. C. 140), to divert appropriations made for certain purposes to other uses for the benefit of the several Indian tribes: *Provided*, that the Secretary of the Interior shall make to the Congress reports required in connection with action taken by him under this provision.

(e) The authority vested in the President by section 5 of the act of February 8, 1887, ch. 119, 24 Stat. 389, as amended (25 U. S. C. 348), by the act of December 24, 1942, ch. 814, 56 Stat. 1081 (25 U. S. C. 348a), by the act of June 21, 1906, ch. 3504, 34 Stat. 326 (25 U. S. C. 391), and by section 3 of the act of January 12, 1891, 26 Stat. 712, as amended by section 3 of the act of March 2, 1917, ch. 146, 39 Stat. 976, to extend trust periods on land patents issued to Indians and to continue restrictions on alienation.

(f) The authority vested in the President by section 2554 (b) of the Internal Revenue Code (26 U. S. C. 2554 (b)) to authorize certain persons in the Virgin Islands to obtain certain drugs for legitimate medical purposes without regard to order forms, and by section 2603 (b) of such Code (26 U. S. C. 2603 (b)) to provide for the registration of and the imposition of special and transfer taxes upon persons in the Virgin Islands who import, manufacture, produce, compound, sell, deal in, dispense, prescribe, administer, or give away marihuana: *Provided*, that the Secretary of the Interior shall perform the functions referred to in this subsection in consultation with the Department of the Treasury.

(g) The authority vested in the President by section 2343 of the Revised Statutes (30 U. S. C. 46) to establish additional land districts and to appoint necessary officers under existing laws when deemed necessary for the public convenience in executing certain provisions of law with respect to mineral lands and mining.

(h) The authority vested in the President by section 2252 of the Revised Statutes as affected by section 403 of Reorganization Plan No. 3 of 1946, 60 Stat. 1100 (43 U. S. C. 121), to order the discontinuance of any land office and the transfer of any of its business and archives to any other land office within the same State or Territory.

(i) The authority vested in the President by section 2250 of the Revised Statutes (43 U. S. C. 125) to discontinue a land office in a land district under certain circumstances and to annex the same to some other adjoining land district.

(j) The authority vested in the President by section 2251 of the Revised Statutes (43 U. S. C. 126) to change the location of the land offices in the several land districts established by law and to relocate the same from time to time at such point in the district as may be deemed expedient.

(k) The authority vested in the President by section 2253 of the Revised Statutes (43 U. S. C. 127) to change and reestablish the boundaries of land districts.

(l) The authority vested in the President by section 2 of the act of March 2, 1917, ch. 145, 39 Stat. 951, as amended (48 U. S. C. 737), to approve the payment out of the Treasury for other purposes of money derived from any tax levied or assessed for a special purpose in Puerto Rico.

(m) The authority vested in the President by section 7 of the act of March 2, 1917, ch. 145, 39 Stat. 954, as amended (48 U. S. C. 748), to convey to the people of Puerto Rico lands, buildings, or interests in lands, or other property owned by the United States, and to accept lands, buildings, or other interests or property by legislative grant from Puerto Rico.

(n) The authority vested in the President by section 3 (b) of the act of March 3, 1925, ch. 426, 43 Stat. 1111, as amended (50 U. S. C. 164 (b)), to approve regulations governing the production and sale of helium for medical, scientific, and commercial use.

(o) The authority vested in the President by section 6 of the act of April 26, 1906, ch. 1876, 34 Stat. 139, to remove from office the principal chief of the Choctaw, Cherokee, Creek, or Seminole tribe or the governor of the Chickasaw tribe, to declare any such office vacant, and to fill any vacancy in any such office arising from removal, disability, or death of the incumbent.

(p) The authority vested in the President by section 28 of the act of April 26, 1906, ch. 1876, 34 Stat. 148, to approve acts, ordinances, or resolutions of the tribal council or legislature of the Choctaw, Chickasaw, Cherokee, Creek, and Seminole tribes or nations, and to approve contracts, involving the payment or expenditure of money or affecting property belonging to any of the said tribes or nations, made by them or any of them or by any officer thereof.

(q) So much of the authority vested in the President by section 5 (a) of the act of February 22, 1935, ch. 18, 49 Stat. 31 (15 U. S. C. 715d (a)), as has not heretofore been delegated to the Secretary of the Interior, to prescribe such regulations as may be found necessary or appropriate for the enforcement of the provisions of that act.

2. The Secretary of the Interior is hereby designated and empowered to perform, without the approval, ratification, or other action of the President, the following functions which have heretofore, under the respective provisions of law cited, required the approval, ratification, or other action of the President in connection with their performance by the Secretary of the Interior:

(a) The authority vested in the Secretary of the Interior by section 1 of the act of June 6, 1942, ch. 380, 56 Stat. 326 (16 U. S. C. 459r), to convey or lease to the States or to the political subdivisions thereof any or all of certain recreational demonstration projects and lands and equipment comprised within such projects or any parts of such projects; and to transfer to other Federal agencies any of the said recreational demonstration areas that may be of use to such agencies.

(b) The authority vested in the Secretary of the Interior by section 3 of the act of July 3, 1918, ch. 128, 40 Stat. 755, as amended, and as affected by section 4 (f) of Reorganization Plan No. II, effective July 1, 1939, 53 Stat. 1433 (16 U. S. C. 704), to promulgate regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, or export of any migratory bird included in the terms of certain conventions, or any part, nest, or egg thereof.

(c) The authority vested in the Secretary of the Interior by section 3 of the act of June 30, 1932, ch. 320, 47 Stat. 446 (48 U. S. C. 321b), to distribute certain duties, authority, and appropriations, and to make rules and regulations with respect to the use of roads, trails, and other works, including the fixing and collection of tolls, in Alaska.

3. As used in this order, the term "functions" embraces duties, powers, responsibilities, authority, or discretion, and the term "perform" may be construed to mean "exercise".

4. All actions heretofore taken by the President in respect of the matters affected by this order and in force at the time of the issuance of this order, including regulations prescribed by the President in respect of such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until modified or revoked pursuant to the authority conferred by this order.

HARRY S. TRUMAN

THE WHITE HOUSE,
*June 5, 1951.*

[F. R. Doc. 51-6623; Filed, June 5, 1951; 3:55 p. m.]

## TRADE AGREEMENT LETTER

[CARRYING OUT THE TORQUAY PROTOCOL TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE AND FOR OTHER PURPOSES]

MY DEAR MR. SECRETARY:

Reference is made to my proclamation of June 2, 1951,[1] carrying out the Torquay Protocol to the General Agreement on Tariffs and Trade and for other purposes.

Pursuant to the procedure described in Part I (b) (I) of that proclamation, I hereby notify you that the following (1) complete items in Part I of Schedule XX to the Torquay Protocol (in cases in which only the item designation is specified), (2) portions of such items to which particular rates are applicable (in cases in which the item designation is specified together with only one or more rates of duty), and (3) portions of such items identified by descriptive language (in cases in which the item designation is specified together with descriptive language, with or without the applicable rate of duty) shall not be withheld pursuant to paragraph 4 of the Torquay Protocol on and after June 6, 1951:

| Item designations | Rates of duty | Descriptive language |
|---|---|---|
| 1 [first] | | |
| 1 [second] | | |
| 1 [third] | | |
| 1 [fifth] | | |
| 1 [seventh] | | |
| 1 [eighth] | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 9 | | |
| 10 | 2½% ad val. [second such rate]. | |
| 15 | | |
| 18 [first] | | |
| 18 [second] | | |
| 21 | | |
| 23 | | |
| 24 [first] | | |
| 24 [second] | | |
| 24 [third] | | |
| 26 [first] | | |
| 28 (a) [first] | | |
| 28 (a) [second] | | |
| 28 (a) [fourth] | | |
| 28 (a) [fifth] | | |
| 28 (a) [sixth] | | |
| 28 (a) [seventh] | | |
| 29 [first] | | |
| 29 [second] | | |
| 29 [third] | | |
| 31 (a) (1) | | |
| 31 (b) (2) | | |
| 34 | | |
| 37 | 12½% ad val. [first such rate].<br>7½¢ per lb.<br>2¢ per lb. | |
| 38 | 7½% ad val. | Chlorophyll and logwood. |
| 39 | | |
| 40 [first] | | |
| 40 [second] | | |
| 41 [first] | | |
| 41 [fourth] | | |
| 41 [fifth] | | |
| 43 [first] | | |
| 43 [second] | | |
| 46 [first] | | |
| 46 [second] | | Lead arsenate and lead resinate. |
| 49 [first] | | |
| 50 | | |
| 52 [first] | | |
| 52 [second] | | |
| 53 [first] | | |
| 53 [second] | | |
| 58 | 6¼% ad val. [first such rate].<br>6¼% ad val. [third such rate]. | |
| 60 | | |
| 61 | | |
| 63 [first] | | |
| 63 [second] | | |
| 66 | | All except pearl essence. |
| 67 [first] | | |
| 68 | | |
| 69 | | |
| 72 [first] | | |
| 72 [second] | | |
| 73 | | |
| 78 [first] | | |
| 78 [second] | | |
| 81 [first] | | |
| 81 [second] | | |
| 83 | | |
| 84 | | |
| 86 | | |
| 88 | | |
| 92 | | |
| 93 [first] | | |
| 93 [second] | | |
| 95 | | |
| 97 | | |
| 201 (b) | | |
| 202 (a) | 5¢ per sq. ft., but not less than 25% nor more than 35% ad val. | Ceramic mosaic. |
| 205 (c) | | |
| 207 [second] | | |
| 207 [third] | | |
| 207 [fifth] | | |
| 207 [sixth] | | |
| 208 (g) | | |
| 208 (h) | | |
| 209 | | |
| 210 | | |
| 211 | 5¢ per doz. pieces and 25% ad val. [first such rate].<br>5¢ per doz. pieces and 25% ad val. [second such rate]. | |

[1] See Proclamation 2929, *supra*.

| Item designations | Rates of duty | Descriptive language |
|---|---|---|
| 212 | 10¢ per doz. separate pieces and 35% ad val. [first such rate].<br>35% ad val. | |
| 214 | | |
| 217 | | |
| 218 (b) | | |
| 218 (d) | | |
| 218 (e) [first] | | |
| 218 (e) [second] | | |
| 219 | | |
| 223 | | |
| 224 | | |
| 228 (b) [second] | | |
| 228 (b) [third] | | |
| 230 (d) | | |
| 231 | | |
| 234 (a) | | |
| 301 [first] | | |
| 301 [second] | | |
| 302 (d) | | |
| 302 (e) [second] | | |
| 302 (f) | | |
| 302 (i) [first] | | |
| 302 (i) [second] | | |
| 302 (j) | | |
| 302 (i) | | All except manganese copper. |
| 302 (m) | | All except ferrozirconium and zirconium ferrosilicon. |
| 302 (n) [first] | | |
| 302 (n) [second] | | |
| 302 (n) [third] | | |
| 302 (n) [fourth] | | |
| 302 (n) [fifth] | 12½% ad val. | Calcium silicon. |
| 302 (o) | | |
| 304 [second] | 3/16¢ per lb. and 10% ad val. | |
| 305 (2) | | |
| 307 | | |
| 308 | | |
| 312 | | |
| 313 [first] | | |
| 313 [second] | | |
| 314 | | |
| 316 (a) | | |
| 316 (b) | | |
| 318 | | |
| 322 | | |
| 326 | | |
| 327 [first] | | |
| 327 [second] | | |
| 328 [first] | | |
| 328 [second] | | |
| 329 | | |
| 331 [first] | | |
| 334 | | |
| 336 | | |
| 338 | | |
| 339 | | |
| 340 [first] | | |
| 341 [first] | | |
| 341 [second] | | |
| 353 [first] | | |
| 353 [second] | | Radio apparatus, instruments and devices |
| 353 [third] | | |
| 353 [fifth] | 17½% ad val.<br>12½% ad val. [second such rate].<br>8¾% ad val.<br>12½% ad val. [third such rate].<br>13¾% ad val. | |
| 353 [sixth] | | All except parts of electrical signaling, welding, ignition, and X-ray apparatus, instruments, and devices, and of calculating machines specially constructed for multiplying and dividing, and having an electric motor as an essential feature. |
| 365 | | |
| 370 [first] | | |
| 370 [second] | | |
| 372 [second] | | |
| 372 [third] | | Bookbinding machinery and paper-box machinery. |
| 372 [seventh] | | |
| 372 [eighth] | 8¾% ad val.<br>10% ad val.<br>13¾% ad val. | |
| 372 [ninth] | The rate for the article of which they are parts. | All except forged steel grinding balls, and parts of printing machinery, of knitting machines and similar textile machinery, of looms, of cream separators, and of calculating machines specially constructed for multiplying and dividing. |
| 374 | | |
| 380 | | |
| 389 | | |
| 390 | | |
| 391 | | |
| 392 [first] | | |
| 392 [second] | | |
| 393 | | |
| 394 | | |
| 397 | 32½% ad val.<br>12% ad val.<br>12½% ad val. [second such rate].<br>12½% ad val. [third such rate].<br>11¼% ad val. | |
| 404 | | |
| 405 | 15% ad val.<br>20% ad val. | |
| 406 | | |
| 407 [first] | | |
| 407 [second] | | |
| 411 | | |
| 412 [second] | | |
| 412 [third] | | |
| 501 | | |
| 502 | | |
| 605 | | |
| 701 | | |
| 702 | | |
| 706 | | |
| 707 | | |
| 708 (c) | | |
| 710 | 3¢ per lb., but not less than 15% ad val.<br>5¢ per lb., but not less than 20% ad val. | Edam and Gouda. |
| 711 | | |
| 714 | | |
| 717 (a) | | |
| 718 (b) | 15% ad val. | |
| 719 (4) | | |
| 721 (b) [first] | | |
| 721 (b) [second] | | |
| 721 (d) | 5¢ per lb. | |
| 724 | | |
| 726 [first] | | |
| 726 [second] | | |
| 728 [first] | | |
| 728 [second] | | |
| 730 | | |
| 732 | | |
| 736 | | |
| 742 [first] | | |
| 752 [first] | | |
| 752 [second] | | |
| 752 [third] | | |
| 752 [fourth] | | |
| 753 [first] | | |
| 753 [second] | | |
| 753 [third] | | |
| 753 [fifth] | | |
| 754 | | |
| 762 | | |
| 764 | | |
| 766 | | |
| 768 | | |
| 770 | | |
| 774 | 12½% ad val. [first such rate].<br>12½% ad val. [second such rate]. | |
| 775 [first] | | |
| 775 [second] | | |
| 777 (a) | | |
| 777 (b) | | |
| 780 | | |
| 781 | | |

| Item designations | Rates of duty | Descriptive language |
|---|---|---|
| 802 [first] | | |
| 802 [second] | | |
| 803 | | |
| 804 [first] | 37½¢ per gal.<br>62½¢ per gal. [first such rate]. | |
| 805 [first] | | |
| 805 [second] | | |
| 806 (a) | | |
| 907 | | |
| 911 (a) | 30% ad val. | |
| 911 (b) | | |
| 912 [first] | | Garters, suspenders, and braces. |
| 912 [second] | | |
| 912 [third] | | |
| 916 (b) | | |
| 923 | 22½¢ per lb. but not less than 15% nor more than 35% ad val. | |
| 1001 [first] | | |
| 1001 [second] | | |
| 1017 | | |
| 1021 | | |
| 1105 (a) (b) | | |
| 1106 | | |
| 1109 (a) | | |
| 1109 (b) | | |
| 1116 (b) | | |
| 1117 (a) | | |
| 1202 | | |
| 1203 | | |
| 1204 | | |
| 1207 [first] | | |
| 1207 [second] | | |
| 1208 | | |
| 1210 | | |
| 1301 | | |
| 1302 | | |
| 1304 | | |
| 1305 | | |
| 1306 | | |
| 1308 | | |
| 1309 | | |
| 1310 | | |
| 1311 | | |
| 1312 | | |
| 1402 | | |
| 1405 [first] | | |
| 1405 [second] | | |
| 1405 [third] | | |
| 1405 [fourth] | | |
| 1406 [first] | | |
| 1507 (b) | | |
| 1409 | | |
| 1410 [first] | | |
| 1410 [second] | | |
| 1413 [first] | | |
| 1413 [third] | | |
| 1502 [first] | | |
| 1502 [second] | | |
| 1502 [third] | | |
| 1503 | | |
| 1504 (b) (3) | | |
| 1504 (b) (4) | $1.50 per doz. and 25% ad val. | |
| 1506 [second] | | |
| 1513 [fourth] | | |
| 1514 | 5% ad val. | |
| 1517 | | |
| 1519 (a) | | |
| 1523 | | |
| 1527 (a) (1) | | |
| 1527 (c) (1) | | |
| 1527 (c) (2) | 35% ad val. | |
| 1527 (d) | | |
| 1528 [first] | | |
| 1529 (a) [first] | | |
| 1529 (a) [second] | | |
| 1529 (a) [third] | | |
| 1529 (a) [fourth] | | |
| 1529 (a) [fifth] | | |
| 1529 (a) [sixth] | | |
| 1529 (a) [seventh] | | |
| 1529 (a) [eighth] | | |
| 1529 (a) [ninth] | | |
| 1529 (a) [tenth] | | |
| 1529 (a) [eleventh] | | |
| 1529 (a) [twelfth] | | |
| 1529 (a) [thirteenth] | | |
| 1529 (a) [fourteenth] | | |
| 1529 (a) [fifteenth] | | |
| 1529 (b) | | |
| 1529 (c) | | |
| 1530 (b) (4) | | |
| 1530 (b) (5) | | |
| 1530 (c) | | |
| 1530 (e) [first] | | |
| 1530 (e) [second] | | |
| 1537 (a) | | |
| 1537 (b) [first] | | |
| 1539 (b) [first] | | |
| 1539 (b) [second] | | |
| 1541 (a) [first] | 20% ad val. [first such rate].<br>30% ad val.<br>20% ad val. [third such rate].<br>15% ad val. | |
| 1541 (a) [second] | | |
| 1541 (a) [third] | | |
| 1541 (a) [fifth] | | |
| 1541 (a) [sixth] | | |
| 1541 (a) [third] | | |
| 1541 (a) [fifth] | | |
| 1541 (a) [sixth] | | |
| 1541 (a) [seventh] | | |
| 1541 (a) [ninth] | | |
| 1541 (b) [first] | | |
| 1541 (b) [second] | | |
| 1544 | | |
| 1547 (b) | | |
| 1548 | | |
| 1552 [first] | | |
| 1552 [seventh] | | |
| 1555 | | |
| 1556 | | |
| 1558 | | Fatty acids derived from vegetable, animal, or fish oils, or from animal fats and greases; incense; and yeast. |
| 1601 | | All except nitric acid and anhydrides thereof. |
| 1605 | | |
| 1610 | | |
| 1643 | | |
| 1657 | | |
| 1659 | | |
| 1664 | | |
| 1670 | | Divi-divi. |
| 1671 | | |
| 1673 | | |
| 1685 | | |
| 1686 | | |
| 1688 | | |
| 1695 | | |
| 1700 | | |
| 1722 | | Angelica seed and root and red squill. |
| 1727 | | All except hempseed, hapok seed, and tucum nuts. |
| 1728 | | |
| 1732 | | |
| 1768 (2) | | |
| 1791 | | |
| 1796 | | |
| 1803 (3) | | |
| 1812 | | |
| 2491 (a) [first] | | |
| 2491 (a) [second] | | |
| 2491 (a) [third] | | |
| 2491 (a) [fourth] | | |
| 2491 (b) [first] | | |
| 2491 (b) [second] | | |
| 3424 (a) | | |

Reference is also made to the thirteenth recital of my proclamation of June 2, 1951. It will be noted that items 28 (a) [second], 205 (e), 411, 724, 1530 (e) [first], and 1537 (b) [first], and the relevant part of item 1541 (a) [first], in Part I of Schedule XX to the Torquay Protocol are being notified to you as not being withheld on and after June 6, 1951. Consequently, the modifications of the list in the ninth recital of Proclamation No. 2764 of January 1, 1948, as amended and rectified, which are set forth in the thirteenth recital to the right of these designations will be effective on and after June 6, 1951. Since only a part of item 1558 in Part I of Schedule XX to the Torquay Protocol will not be withheld on and after June 6, 1951, only that part of the amendment, set forth in the thirteenth recital, of item 1558 in the list set forth in the ninth recital of the proclamation of January 1, 1948, will become effective on June 6, 1951, which will result in the application on and after that date of item 1558 in the proclamation of January 1, 1948, with the substitution of ", urunday extract, incense, yeast, and fatty acids derived from vegetable oils, animal or fish oils, or animal fats and greases" for "and urunday extract" within the first parentheses of the description in the item.

Very sincerely yours,

HARRY S. TRUMAN

Honorable JOHN W. SNYDER,
*The Secretary of the Treasury.*

[F. R. Doc. 51-6617; Filed, June 5, 1951; 2:49 p. m.]

# RULES AND REGULATIONS

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

INSTRUCTOR, DEPARTMENT OF ARMY RECONDITIONING PROGRAMS

1. The position of Instructor (Academic Subjects), Department of the Army Reconditioning Programs, GS-1711-6, has been abolished. Paragraph (e), *Instructor (Academic Subjects), Department of the Army Reconditioning Centers, GS-1711-6*, of § 24.12 is hereby revoked.

(Sec. 11, 58 Stat. 390; 5 U. S. C. 860. Interprets or applies sec. 5, 58 Stat. 388; 5 U. S. C. 854)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
*Chairman.*

[F. R. Doc. 51-6584; Filed, June 6, 1951; 8:48 a. m.]

## TITLE 6—AGRICULTURAL CREDIT

### Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Obligations

PART 638—NAVAL STORES

SUBPART—1951 GUM NAVAL STORES PRICE SUPPORT LOAN PROGRAM

Statement with respect to the Gum Naval Stores Price Support Loan Program for the calendar year 1951, formulated by the Commodity Credit Corporation and the Production and Marketing Administration (hereinafter referred to as "CCC" and "PMA").

SEC.
638.201 Administration.
638.202 Eligible producer.
638.203 Eligible naval stores.
638.204 Eligible turpentine.
638.205 Eligible rosin.
638.206 Eligible oleoresin.
638.207 Eligible metal drums.
638.208 Availability of loans.
638.209 Rate of loan to producers.
638.210 Storage provisions.
638.211 Maturity.
638.212 Redemption.
638.213 Rights of CCC upon maturity.
638.214 Disposition of proceeds upon liquidation.
638.215 Personal liability.

AUTHORITY: §§ 638.201 to 638.215 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply sec. 5, 62 Stat. 1072, sec. 301, 63 Stat. 1053; 15 U. S. C. Sup. 714c, 7 U. S. C. Sup. 1447.

§ 638.201 *Administration.* The Naval Stores Division, Tobacco Branch, PMA, will supervise the administration of the program. CCC will make a loan to the American Turpentine Farmers Association Cooperative, Valdosta, Georgia (hereinafter referred to as the "Association"), under a Loan Agreement which will enable the Association in turn to make loans to eligible producers on eligible naval stores, to supervise the maintenance of the collateral in storage, to perform related field administration functions, to arrange for redemptions, and to collaborate in the liquidation of unredeemed collateral. The PMA Commodity Office, Atlanta, Georgia, will perform accounting and auditing functions.

§ 638.202 *Eligible producer.* A producer will be eligible for loan if he (a) is a member in good standing of the Association under membership requirements approved by CCC (no producer who is otherwise eligible may be excluded from membership in the Association), (b) is a cooperator in the 1951 Naval Stores Conservation Program of the United States Department of Agriculture or otherwise follows good conservation practices, as determined by such Department, (c) has made satisfactory arrangements to pay any indebtedness to the United States Department of Agriculture or any agency thereof, as evidenced by the registers of indebtedness maintained by the County Committees of the PMA, United States Department of Agriculture, and (d) has executed, and has not breached his obligations under, the Producer's Marketing Agreement (ATFA Form 1-1951), or any other similar agreement.

§ 638.203 *Eligible naval stores.* "Eligible naval stores" are eligible turpentine, eligible rosin and the turpentine and rosin content in eligible oleoresin.

§ 638.204 *Eligible turpentine.* "Eligible turpentine" is gum turpentine which (a) was produced from eligible oleoresin, (b) is free and clear from all liens and encumbrances, (c) has not been theretofore pledged for a loan and in which the beneficial interest is and always has been in the producer, (d) is "water-white" in color, (e) is free from excess resin acids, as evidenced by a total acid number of not more than 0.50, and (f) conforms as to specific gravity to Federal Specifications TT-T-801, to wit: A maximum of 0.875 and a minimum of 0.860 taken at 60 degrees over 60 degrees Fahrenheit.

§ 638.205 *Eligible rosin.* "Eligible rosin" is gum rosin which (a) was produced from eligible oleoresin, (b) grades "G" or better, (c) is free and clear from all liens and encumbrances, (d) has not been theretofore pledged for a loan and in which the beneficial interest is and always has been in the producer, (e) is packed to the net weight approved by CCC, in eligible metal drums, (f) is transparent, (g) is free from visible foreign materials and contains no extraneous matter resulting from chemical or other treatment of the rosin, or of the oleoresin or the trees from which it came, and (h) conforms as to softening point to not less than Federal Specifications LLL-R-626, to wit: 158 degrees Fahrenheit (American Society for Testing Materials Method No. E 28-42T). Rosin must be Federally inspected and weighed or the weights checked prior to tender for loan.

§ 638.206 *Eligible oleoresin.* "Eligible oleoresin" is oleoresin (a) which was produced in 1951 by an eligible producer, (b) which is free and clear from all liens and encumbrances, (c) the turpentine or rosin content in which has not been theretofore pledged for a loan and the beneficial interest in which is and always has been in the producer, and (d) which will yield turpentine of the prescribed quality, and rosin of the prescribed grades and quality. When a producer's eligible oleoresin was commingled with oleoresin produced by other producers in the processing operation, the turpentine and rosin tendered for loan by the producer as representing the processed equivalent of his eligible oleoresin will be deemed to be, if otherwise eligible, eli-

gible turpentine and eligible rosin produced by such producer.

§ 638.207 *Eligible metal drums.* "Eligible metal drums" are drums conforming to the specifications for metal drums approved by CCC and on file in the office of the Association.

§ 638.208 *Availability of loans.* (a) Under the Loan Agreement, CCC will make a loan to the Association for the purpose of enabling the Association to make loans available, or to make loans, to eligible producers of eligible naval stores produced in 1951. The loan to the Association will be in an amount equal to (1) the amount of the loans made by the Association to producers, (2) the administrative and operating expenses, approved by CCC, incurred by the Association in connection with making loans available and the making of loans, and the handling and preservation of pledged naval stores, (3) the storage charges after naval stores are pledged, and (4) an indemnification charge to cover the assumption by CCC of the risk of loss on rosin and rosin content in oleoresin (the storage rate for turpentine includes insurance).

(b) Each producer desiring to obtain loans will execute a Producer's Marketing Agreement with the Association. Each loan will be secured by a pledge by the producer to the Association of eligible turpentine, eligible rosin, or unprocessed turpentine or rosin content in eligible oleoresin, and the Association, in turn, will pledge the same to CCC as security for the loan made by CCC to the Association. Loans on rosin will be made only on full drums thereof, and loans on the rosin content in oleoresin, only upon the equivalent of full drums thereof. No loans will be made later than December 31, 1951.

(c) Eligible naval stores will be deemed tendered for loan by the producer to the Association only when such naval stores have been (1) processed (except where unprocessed turpentine or rosin content in oleoresin is offered for loan), (2) placed in storage in the custody of an approved warehouseman who has executed a Warehouse Agreement (ATFA Form 2–1951), and (3) offered for loan on a Producer's Offer (ATFA Form 3A–1951). If there are any liens or encumbrances on the naval stores offered for loan, proper waivers are required on a Lienholders' Waiver and Agreement (ATFA Form 3–1951).

§ 638.209 *Rate of loan to producers.* The Association will make loans to producers based on the rate of $128.21 per naval stores production unit, comprised of fifty (50) gallons of turpentine and fourteen hundred (1400) pounds of rosin; this rate will remain fixed throughout the loan period. Initially, the production unit rate of $128.21 will be allocated to the individual commodities to provide a loan rate for turpentine of fifty cents (50¢) per gallon of 7.2 pounds in bulk, and a loan rate for rosin of grades X to G, inclusive, of $7.37 per hundred pounds net packed in eligible metal drums. CCC reserves the right to revise such allocation of loan values between turpentine and rosin during the loan period, within the fixed production unit loan rate. The amount which the Association will lend to any producer will be determined by applying the applicable loan rates in effect for turpentine and rosin on the date of the applicable Producer's Offer to the quantities thereof tendered for loan.

§ 638.210 *Storage provisions.* The producer will be required to place naval stores offered for loan in storage in the custody of an approved warehouseman who has executed a Warehouse Agreement with the Association. This Agreement will be assigned by the Association to CCC. All processing charges, including the cost of eligible metal drums for rosin, and all storage and other warehouse charges to the date of tender for loan will be borne by the producer. Storage charges accruing after the naval stores are pledged are payable by CCC, and comprise part of the loan by CCC to the Association.

§ 638.211 *Maturity.* The loan made by CCC to the Association and the loans made by the Association to producers will be due and payable upon demand, or on April 1, 1952, whichever is earlier.

§ 638.212 *Redemption.* (a) Subject to terms and conditions of the Producer's Marketing Agreement, the producer may redeem pledged naval stores, prior to maturity of the loan, upon application to the Association and payment of the redemption price. The producer's right to redeem may be exercised for him and in his behalf by the Association and the producer's exercise of the right of redemption is subject to the prior exercise thereof by the Association. Subject to the terms and conditions of the Loan Agreement, the Association may redeem naval stores pledged by the Association to CCC, upon application to CCC therefor prior to the maturity of the loan and payment of the redemption price.

(b) The redemption price will be the weighted average amount loaned by Commodity to the Association, including applicable expenses and charges, plus interest at the rate of three percent (3%) per annum.

§ 638.213 *Rights of CCC upon maturity.* CCC will have the right at any time after maturity of the loan to sell, assign, transfer and deliver the pledged naval stores, or documents evidencing title thereto, at such time, in such manner, and upon such terms and conditions as CCC may determine.

§ 638.214 *Disposition of proceeds upon liquidation.* CCC will apply the net proceeds from the disposition of pledged naval stores (a) towards satisfaction of accrued interest, (b) towards satisfaction of the principal amount loaned, and (c) towards the satisfaction of any other indebtedness of the association to CCC. In the event that any sum remains after application of these amounts, such sum will be returned to the Association by CCC for disposition by the Association to its producer-member participants, or for and in behalf of its producer-members, on an equitable basis as determined by the Association with the approval of CCC.

§ 638.215 *Personal liability.* The loans will be non-recourse, except that any fraudulent representation by the producer or the Association in the loan documents, or in obtaining a loan, will render him or it subject to criminal prosecution under applicable law, and personally liable for the amount by which the proceeds received upon the disposition of the pledged naval stores are less than the amount of indebtedness incurred by the association with respect thereto.

Issued this 4th day of June 1951.

[SEAL] ELMER F. KRUSE,
*Vice-President,*
*Commodity Credit Corporation.*

Approved:

HAROLD K. HILL,
*Acting President,*
*Commodity Credit Corporation.*

[F. R. Doc. 51–6578; Filed, June 6, 1951; 8:47 a. m.]

# TITLE 7—AGRICULTURE

## Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART B—UNITED STATES STANDARDS FOR GRADES OF PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS

CANNED LIMA BEANS

EDITORIAL NOTE: In Federal Register Document 51–4873, appearing at page 3607 of the issue for Friday, April 27, 1951, Table No. II of § 52.169 was changed to read as follows:

TABLE NO. II

[Sizes of lima beans in canned lima beans]

| Word designation: | *Size of lima beans (inches in width)* |
|---|---|
| Midget | $\frac{28}{64}$ inch in width and smaller. |
| Tiny | Over $\frac{28}{64}$ inch to and including $\frac{30}{64}$ inch in width. |
| Small | Over $\frac{30}{64}$ inch to and including $\frac{34}{64}$ inch in width. |
| Medium | Over $\frac{34}{64}$ inch to and including $\frac{38}{64}$ inch in width. |
| Large | Larger than $\frac{38}{64}$ inch in width. |

# TITLE 8—ALIENS AND NATIONALITY

## Chapter I—Immigration and Naturalization Service, Department of Justice

### Subchapter A—General Provisions

PART 60—FIELD OFFICERS; POWERS AND DUTIES

REMITTANCE OF FEES

MAY 21, 1951.

Subparagraph (1) of paragraph (b) of § 60.30, *Authority to accept applications;*

*remittance of fees*, of Chapter I, Title 8 of the Code of Federal Regulations, is amended to read as follows:

(b) *Remittance of fees*—(1) *Form.* Any fees required to be submitted with, or on account of, any of the various applications prescribed in this chapter shall be in the amount provided by the applicable statute and regulation. All remittances shall be accepted subject to collection, and no receipt issued by an officer of the Immigration and Naturalization Service for any such remittance shall be binding if the instrument of remittance is found uncollectible. Such fees shall not be accepted in the form of postage stamps.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, secs. 37, 327, 54 Stat. 675, 1150; 8 U. S. C. 102, 222, 458, 727)

ARGYLE R. MACKEY,
*Commissioner of Immigration and Naturalization.*

Approved: May 31, 1951.

J. HOWARD MCGRATH,
*Attorney General.*

[F. R. Doc. 51-6577; Filed, June 6, 1951; 8:47 a. m.]

# TITLE 15—COMMERCE AND FOREIGN TRADE

## Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

### Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. 60 [1]]

PART 371—GENERAL LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 374—PROJECT LICENSES

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE ASSIGNED BY OIT

MISCELLANEOUS AMENDMENTS

1. Section 371.11 *Personal baggage and tools of trade* is amended in the following particulars:

Paragraph (a) *Personal baggage license*, subparagraph (1) *General provisions* is amended by adding after subdivision (i) a note reading as follows:

NOTE: As used in the regulation, "usual" and "reasonable" quantities and kinds of food should be limited, generally, to the quantities and kinds necessary and appropriate for use by a traveler or members of his immediate family during the outgoing and any immediate return voyage.

Consequently, where a traveler desires to include, under the baggage general license, food in such quantities as to be obviously used for consumption after he has finished his voyage, or to be distributed as "gifts," such food is not included within the provisions of this general license.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.; Pub. Law 33 82d Cong.)

2. Section 373.24 *Statement of past participation in exports for certain commodities* is amended in the following particulars:

Paragraph (b) *Rubber tires and casings* is amended to read as follows:

(b) *Rubber tires and casings.* Any applicant who has pending with the Office of International Trade or who intends to file applications for a license to export truck and bus casings, passenger car casings, off-the-road casings, farm tractor and implement casings, and industrial casings, Schedule B Nos. 206000, 206200, 206430, 206450, 206490 must submit on or before June 15, 1951, the following information:

3. Part 373, Licensing Policies and Related Special Provisions, is amended by adding thereto a new § 373.25 to read as follows:

§ 373.25 *Special provisions for wool rags, waste, and yarns.* Wool rags, woven and knit; wool yarns; and wool waste (journal box packing), Schedule B Nos. 362200, 362600, and 363300, will be licensed for export against export quotas for the second calendar quarter 1951 in accordance with the licensing policy set forth in § 373.1 and the following special provisions:

(a) *Wool rags*—(1) *Definitions.* As used in this section, "high grade wool rags" means new clips of all kinds, white knits, pastel knits, all sweater clips, fine light merinos, pastel coarse light merinos, pastel blankets, white serges and flannels, white paper mill felts, rough khaki, and skirted or stripped khaki; "other wool rags" means wool rags, woven and knit, Schedule B No. 362200, that are not "high grade wool rags."

(2) *Distribution of quota.* The total export quota for the second quarter for wool rags, woven and knit, is 18,000,000 pounds. A maximum of 4,000,000 pounds of high grade wool rags has been allocated for licensing (including approvals of appeals from applications which were rejected because of lack of export quota for the first quarter 1951) against this export quota, and the remainder of the 18,000,000-pound quota will be used for licensing other wool rags.

(3) *Commodity description.* Applications for licenses to export wool rags, woven and knit (whether high grade wool rags or other wool rags) must include a complete description of the rags, showing kind, grade, color, and whether stripped or skirted, to enable the Office of International Trade to determine whether the proposed shipment is high grade wool rags or other wool rags.

(4) *Licensing of high grade wool rags.* High grade wool rags will be licensed for export under the following conditions only and where substantiated by the information and documents set forth below:

(i) Where the license application covers requirements of the U. S. 8th Army, Japanese police, or other requirements for the occupation forces in Japan, in which case the application must be accompanied by a true copy of the Japanese importer's contract to supply the product made from the rags, and a true copy of the certificate from the Procurement Section, Japanese Logistic Command to the Japanese Ministry of International Trade and Industry requesting its assistance in obtaining the wool rags to produce the stated end product. The import authorization (MITI) number must also be shown.

(ii) Proposed exports for which license applications were rejected because of lack of export quota for the first quarter of 1951, where the U. S. exporter's appeal is upheld upon initial review or by the Appeals Board. It has been agreed by OIT and the Appeals Board that appeals from such rejected license applications must be supported by evidence showing that prior to February 20, 1951: the appellant held an order (as defined in § 372.1 (e) (2) of this subchapter) covering the transaction; that the appellant had purchased or acquired the wool rags from sources in the United States; that a letter of credit had been opened; and that an import authorization (where required) had been issued.

(iii) Where the license application covers requirements to fulfill valid contracts between persons in the United States and persons in Japan, for processing wool rags into rugs, which were in effect but uncompleted on February 20, 1951, and which could not be completed because of lack of export quota, applications must be accompanied by documentary evidence of the existence, nature, and status of such contracts, and the import authorization (MITI) number. The documentary evidence must set forth the kinds and grades of rags to be furnished for processing in Japan and the number of square feet of rugs to be returned to the United States.

(5) *Licensing of "other wool rags."* Applications for licenses to export "other wool rags" will be considered only where the proposed shipment does not include any "high grade wool rags." Applications for licenses to export "other wool rags" must include the import authorization number where import authorization is required by the importing country.

(6) *Wool rags, imported.* Applications for licenses to export wool rags which are not the production or manufacture of the United States, and which are imported into the United States without a consumption entry being made, including such imports as have been stored in bonded warehouses, will be considered without regard to quota limitations provided such applications are accompanied by the following certification:

I (we) hereby certify that the wool rags covered by this application are not the production or manufacture of the United States; are (or will be) imported into the United States only for shipment through the United States and/or storage and exportation from the United States; and that no consumption entry for these commodities has been (or will be) made at a United States customhouse.

(b) *Wool waste, journal box packing.* Wool waste, journal box packing, will be licensed only in limited quantities where needed for current maintenance, repair,

[1] This amendment was published in Current Export Bulletin No. 622, dated May 31, 1951, with the exception of the part of the amendment relating to Part 398 which was published in Current Export Bulletin No. 623, dated May 31, 1951.

and operation of railway rolling stock, primarily in foreign countries which have depended historically on United States sources for such requirements. Applications for licenses to export wool waste must clearly indicate that the wool waste is for journal box packing and must be accompanied by a statement as to urgency of need and a statement of the quantity the applicant exported to the named country of destination for this purpose in the calendar year 1950. The statement of the applicant's exports to the named country of destination may be made on Form IT–821 (see Supplement, S–13, for facsimile), and may also include a statement of the applicant's exports to other foreign countries to which he contemplates making exportations to be charged against the second quarter 1951 quota. Applicants need submit such information only once with respect to each country of destination.

(c) *Wool yarns.* Wool yarns will be licensed for export for small shipments of yarn, primarily hand knitting yarn, to countries normally obtaining such yarns from the United States.

This part of the amendment shall become effective as of May 31, 1951.

4. Section 373.51 *Supplement 1: Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended by the addition of a footnote to the submission dates for the third quarter, 1951, of the entry of Steel mill products, except carbon steel, Schedule B Nos. 600700–610800 to read as follows:

[3] Exporters may submit applications, until June 8, 1951, for export licenses to cover third quarter, 1951, hardship requirements for casing, tubing, and drill pipe, seamless and welded, Schedule B Nos. 606250 and 606350, to the Office of International Trade, Washington 25, D. C. Exporters shall note that the quantity of tubulars for which rating authorizations may be issued to meet hardship requirements is limited and sufficient to relieve extreme hardship cases only.

This part of the amendment shall become effective as of May 31, 1951.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.; Pub. Law 33, 82d Cong.)

5. Section 374.51 *Supplement 1: List of restricted commodities* is amended to read as follows:

POSITIVE LIST OF COMMODITIES

All commodities with the processing code NONF.

All commodities with the processing code TNPL.

All commodities with the processing code STEE.

Aviation motor fuels: Schedule B Nos. 501610, 501620, 501640.

Antiknock compounds not of petroleum origin: Schedule B No. 829910.

Carbon black (contact and furnace): Schedule B Nos. 842310, 842350.

Sulfur (crude, crushed, ground, refined, sublimed, and flowers): Schedule B Nos. 571400, 571500.

Coke, except petroleum coke: Schedule B No. 500400.

All other commodities for which quantitative export quotas have been published.

All commodities on Excepted Commodity List under General License GIT (§ 371.9 (c) of this subchapter).

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.; Pub. Law 33, 82d Cong.)

This part of the amendment shall become effective as of May 31, 1951.

6. Part 398, Priority Ratings and Supply Assistance Assigned by OIT, is amended by adding thereto a new § 398.5 to read as follows:

§ 398.5 *Assignment of DO Ratings by OIT for Controlled Materials Plan materials*—(a) *Controlled Materials Plan as applied to exports*—(1) *Controlled Materials Plan.* A Controlled Materials Plan (CMP) governing the distribution of certain metals has been established by the National Production Authority, effective July 1, 1951. This Plan operates under a series of NPA regulations identified as "CMP Regulations" (numbered serially as "CMP Regulation 1," "CMP Regulation 2," etc.).

(2) *Materials covered by CMP.* The Controlled Materials Plan covers copper, steel, and aluminum in the shapes and forms described in Schedule 1 of CMP Regulation 1. (A copy of Schedule 1 of CMP Regulation 1 is printed as Supplement 2 to Part 398.)

(3) *Applicability of CMP to exports.* CMP regulations govern the distribution of controlled materials to all consumers, i. e., exporters as well as domestic U. S. producers using controlled materials. This section sets forth the supplementary rules and procedures which will be followed by the Office of International Trade and exporters in connection with exports of controlled materials to all destinations except Canada.

(b) *Export quotas and priority ratings for controlled materials*—(1) *Assignment of priority ratings for controlled materials.* Under delegation of authority from the National Production Authority, the Office of International Trade will assign priority ratings, as required, to assure delivery of controlled materials within quota limits.

(2) *Assignment of priority ratings.* On and after June 1, 1951, the Office of International Trade will assign priority ratings on licenses issued for controlled materials. (Exception: No priority rating will be assigned on a license based upon an application which indicates that the materials are already in the applicant's possession; however, quantities of controlled materials covered by each such license will be charged against the quota limiting total exports of such controlled materials.) The priority rating will be assigned by the Office of International Trade by endorsing the validated license with the following legend:

By authority of the NPA, the exporter herein named is assigned the right to apply the rating DO ____ to procure the above described material.

DO 36 ratings will be assigned for deliveries of material for ECA countries, and DO 37 ratings for deliveries for all other countries.

(c) *Transitional provisions*—(1) *Shipments during July 1951.* To avoid dislocation of scheduled production, a holder of a validated license issued before June 1, 1951, may continue to export controlled materials in accordance with the terms of such license through July 1951, provided, the material (i) was produced prior to July 1, 1951, and (ii) is loaded aboard an exporting carrier by midnight July 31, 1951.

(2) *Revocation of certain licenses.* With respect to the materials listed below, any valid license issued prior to June 1, 1951, is hereby revoked, effective 12:01 a. m., August 1, 1951, unless revalidated by the Office of International Trade, on or after June 1, 1951.

| Dept. of Commerce Sch. B No. | Commodity |
|---|---|
| | STEEL MILL PRODUCTS |
| | Steel ingots, blooms, billets, slabs, sheet bars, tinplate bars, and tube rounds (Armco iron, ingot iron, and other iron made in steel-making furnaces included): |
| | Carbon steel: |
| 601605 | Steel ingots. |
| 601606 | Steel billets, blooms, and slabs. |
| 601609 | Steel sheet bars, and tinplate bars. |
| | Alloy steel (stainless included): |
| 601705 | Steel ingots. |
| 601706 | Steel billets, blooms, and slabs (rolled or forged). |
| 601709 | Steel sheet bars, and tinplate bars. |
| 601800 | Tube rounds (carbon, alloy, and stainless included). |
| | Iron and steel bars, and rods (include bar size shapes): |
| | Steel bars, cold-finished: |
| 602010 | Die steel bars, carbon steel. |
| 602010 | Other carbon steel bars. |
| 602050 | Stainless. |
| 602090 | Alloy, except stainless. |
| 602100 | Iron bars. |
| 602200 | Concrete reinforcement bars (deformed and twisted bars only). |
| | Other steel bars and rods (hot-rolled): |
| 602300 | Die steel bars, carbon steel. |
| 602300 | Other carbon steel bars. |
| 602500 | Stainless steel. |
| 602600 | Alloy steel, except stainless (report stainless in 602500). |
| 602900 | Wire rods (for further manufacture). |
| | Plates, including boiler plate, except fabricated: |
| | Carbon steel: |
| 603120 | Hot-rolled. |
| 603130 | Cold-rolled. |
| | Stainless steel: |
| 603140 | Hot-rolled. |
| 603160 | Cold-rolled. |
| | Alloy steel, except stainless: |
| 603170 | Hot-rolled. |
| 603180 | Cold-rolled. |
| 603200 | Skelp iron and steel. |
| | Iron and steel sheets, galvanized: |
| *603350 | Galvanized iron culverts and culvert sheets, and sections. |
| 603390 | Other galvanized iron sheets. |
| *603450 | Galvanized steel culverts and culvert sheets, and sections. |
| 603490 | Other galvanized steel sheets. |
| | Steel sheets, black ungalvanized (include enameled, lacquered, or painted): |
| | Carbon steel: |
| 603520 | Hot-rolled. |
| 603530 | Cold-rolled. |
| | Stainless steel: |
| 603540 | Hot-rolled. |
| 603560 | Cold-rolled. |
| | Alloy steel, except stainless: |
| 603570 | Hot-rolled. |
| 603580 | Cold-rolled. |
| 603595 | Electrical (steel) sheets, except transformer grades. |
| 603595 | Electrical (steel) sheets, transformer grades only. |
| 603600 | Iron sheets, black (including enameled, lacquered, and painted). |
| | Strip, hoop, band, and scroll, iron and steel (including enameled, lacquered, and painted): |
| 603710 | Cold-rolled carbon steel, gilding metal clad. |
| 603710 | Cold-rolled carbon steel, except gilding metal clad. |
| 603750 | Cold-rolled stainless steel. |
| 603790 | Cold-rolled alloy steel, except stainless. |

*See subparagraph (3) (iv) of this paragraph.

| Dept. of Commerce Sch. B No. | Commodity |
|---|---|
| | STEEL MILL PRODUCTS—continued |
| | Strip, hoop, band, and scroll, iron and steel (including enameled, lacquered, and painted)—Continued |
| 603810 | Hot-rolled carbon steel, gilding metal clad. |
| 603810 | Hot-rolled carbon steel, except gilding metal clad. |
| 603850 | Hot-rolled stainless steel. |
| 603890 | Hot-rolled alloy steel, except stainless. |
| | Tinplate: |
| 604110 | Tinplate, hot-dipped. |
| 604150 | Tinplate, electrolytic. |
| 604170 | Tinplate, decorated, embossed, lithographed, lacquered, or otherwise advanced, including lithographic misprints. |
| 604200 | Terneplate (long ternes included). |
| | Structural iron and steel: |
| | Structural shapes: |
| 604500 | Plain, not fabricated (except bar mill size structurals). |
| 604600 | Fabricated. |
| *604790 | Plates, fabricated, punched, or shaped, n. e. s. |
| 605000 | Sheet piling. |
| | Railway-track material, iron and steel: |
| | Rails: |
| 605100 | Over 60 pounds per yard. |
| 605200 | 60 pounds per yard and under. |
| 605300 | Relaying rails. (Report rerolling rails under 601550 and scrap rails under 601090). |
| 605410 | Rail joints and splice bars. |
| 605450 | Tie plates (including fish plates). |
| *605490 | Railway track accessories, n. e. s. |
| 605800 | Railroad spikes. |
| | Tubular products and fittings, iron and steel, new and used (except scrap): |
| 606000 | Boiler tubes, seamless. |
| 606100 | Boiler tubes, welded. |
| | Casing and line pipe (see § 399.2): |
| 606250 | Casing, seamless. |
| 606290 | Line pipe, seamless. |
| 606350 | Casing, welded. |
| 606390 | Line pipe, welded. |
| 606400 | Seamless black pipe and tubes, except casing, oil-line and boiler. |
| *606705 | Cast-iron pressure pipe. |
| *606798 | Cast-iron pressure pipe fittings. |
| 607000 | Welded black pipe and tubes, steel. |
| 607100 | Welded black pipe and tubes, wrought iron. |
| 607200 | Welded galvanized pipe and tubes, steel. |
| 607300 | Welded galvanized pipe and tubes, wrought iron. |
| 607400 | Mechanical steel pipe and tubes. |
| 607500 | Stainless steel pipe and tubes. |
| 607705 | Iron and steel pipe, n. e. s. |
| | Wire and manufactures: |
| 608100 | Iron and steel wire, uncoated (plain, stainless and alloy steel included). |
| 608200 | Tie wires for reinforcing bars. |
| 608300 | Other galvanized wire. |
| 608400 | Barbed wire. |
| 608500 | Woven-wire fencing. |
| 608710 | Wire cable and rope, except insulated. |
| 608750 | Wire strand. |
| 609101 | Wire bale ties. |
| 609109 | Alloy steel wire, coated (include stainless). |
| *609109 | Coated wire, iron and steel, n. e. s., except alloy. |
| | Other wire manufactures: |
| *609198 | Coils, cold-finished, musical instrument wire; piano wire; spring wire, bright steel, piano grade. |
| *609198 | Other iron and steel wire and manufactures, n. e. s. |
| | Nails and bolts, iron and steel, n. e. s.: |
| 609200 | Wire nails (include shoe nails) (report shoe tacks in 609400). |
| *609500 | Other nails and staples (except staples for paper fasteners or paper stapling machines). |
| | Castings and forgings, iron and steel: |
| 610410 | Carbon steel castings for marine and railroad equipment. |
| *610490 | Alloy steel castings (stainless included). |
| | Railway car and locomotive wheels, tires, and axles: |
| 610515 | Railway car wheels. |
| 610518 | Railway car tires and locomotive wheels. |
| 610525 | Railway car axles, without wheels. |
| 610528 | Railway locomotive axles, without wheels. |
| 610535 | Railway car axles, fitted with wheels. |
| 610538 | Railway locomotive axles, fitted with wheels. |
| | Iron and steel forgings, n. e. s.: |
| *610700 | Carbon steel. |
| *610800 | Alloy steel (stainless included). |
| 620909 | IRON AND STEEL MANUFACTURES<br>Unfabricated tie stock, whether or not sheared to length. |
| *620998 | Packing steel, stainless; steel tubes for manufacturing of ball bearings; steel shot; and perforated steel sheets, alloy and stainless (see § 373.2 of this subchapter). |
| *620998 | Angle plates, slotted, iron; circles, steel; castings, iron, machine-drilled; perforated tumeplate; sheets, steel, black, printed and lithographed; tubular scaffolding; vitrified steel pipe; flexible tubing, except electrical; perforated steel; poles, steel, electric line; and perforated steel sheets, carbon steel. |
| | ALUMINUM AND MANUFACTURES |
| 630000 | Ingots, slabs, pigs, blooms, and other crude forms. |
| 630301 | Sheets, plates, and strips (.006 inch and over in thickness). (Report venetian blind stock in 630998.) |
| 630305 | Bars and rods (including rolled and extruded). |
| 630400 | Aluminum foil and leaf (less than .006 inch in thickness). |
| 630500 | Mill shapes (specify by name) (include unfabricated molding). (Report fabricated architectural molding in 630910; other fabricated molding in 630998.) |
| 630600 | Other wire, cable, welding rods, and electrodes. |
| 630850 | Aluminum or aluminum bronze powders and pastes, aluminum content. |
| 630998 | Perforated aluminum sheets. |
| *630998 | Aluminum and aluminum-base alloy manufactures, n. e. s. |
| | COPPER AND MANUFACTURES |
| *641200 | Refined copper in cathodes, billets, ingots, wire bars or other forms. (Report copper bars except wire bars in 642400). |
| 642200 | Copper pipes and tubes. |
| 642300 | Copper plates, sheets, and strips. |
| 642400 | Copper rods and bars. (Report copperweld rods in 642500; and wire bars in 641200.) |
| 642500 | Copper wire and cable, bare (include copperweld electrodes). (Report insulated copper wire in 709810, 709830, and 709850.) |
| *643998 | Copper manufactures, n.e.s. |
| | BRASS AND BRONZE MANUFACTURES |
| *644100 | Brass and bronze ingots. |
| 644900 | Brass and bronze bars, rods, and shapes (extruded, rolled, and drawn). |
| 645000 | Brass and bronze plates, sheets, and strips (report window strip and shapes in 647998). |
| 645300 | Brass and bronze pipes and tubes (include pipe coils). |
| 645700 | Wire, bare and insulated, brass and bronze. |
| *647913 | Brass and bronze castings and forgings. |
| *647998 | Brass and bronze manufactures, n. e. s. |

*See subparagraph (3) (iv) of this paragraph.

(3) *Requests for revalidation of outstanding licenses.* If a licensee, holding a validated license for controlled materials issued before June 1, 1951, is unable to complete exportation under the provisions set forth in subparagraph (1) of this paragraph, he may request revalidation of his license by submitting to OIT, Washington, D. C., Form IT-763 "Request for and Notice of Amendment Action" in accordance with the provisions of § 380.2 of this subchapter.

NOTE: In the case of Project Licenses, Form IT-375, "License Application Materials Requirements List," will be submitted to request revalidation.

In addition to the information required on Form IT-763 (or Form IT-375), each request for revalidation shall include:

(i) The statement "CMP Revalidation."

(ii) The amount of material for which revalidation is requested.

(iii) The amended expiration date requested.

(iv) For licenses covering materials marked with an asterisk in the list under subparagraph (2) of this paragraph, a description of the material in sufficient detail to permit its identification under Schedule I of CMP Regulation 1.

NOTE: Quantities of controlled materials covered by revalidation requests approved by OIT will be charged against third quarter quotas. A reserve of third quarter quotas will be held by OIT for consideration of revalidation requests, but no assurance can be given that all such requests will be approved. Such revalidation requests as must be filed should be submitted to OIT as soon as possible.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.; Pub. Law 33, 82d Cong.)

This part of the amendment shall become effective as of June 1, 1951.

LORING K. MACY,
*Acting Director,*
*Office of International Trade.*

[F. R. Doc. 51-6572; Filed, June 6, 1951; 8:47 a. m.]

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[5th Gen. Rev. of Export Regs., Amdt. 51 [1]]

## PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

### MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following commodity is added to the Positive List:

| Dept. of Comm. Sched. B No. | Commodity | Unit | Processing code and related commodity group | GLV dollar value limits | Validated license required |
|---|---|---|---|---|---|
| 385850 | Nylon webbing for parachute harness | | TEXT | 100 | RO |

This part of the amendment shall become effective as of 12:01 a. m., June 5, 1951.

2. The following revision is made in commodity descriptions. The entries set forth below are substituted for the present entry on the Positive List for "Reflectoscopes, ultrasonic or supersonic, and parts", Schedule B No. 919093. This revision is necessary to conform to Schedule B classification decision made by the Bureau of the Census, but no substantive change is made. The processing code is changed from SATE to GIEQ.

[1] This amendment was published in Current Export Bulletin No. 622, dated May 31, 1951.

| Dept. of Comm. Sched. B No. | Commodity | Unit | Processing code and related commodity group | GLV dollar value limits | Validated license required |
|---|---|---|---|---|---|
| 774020 | Reflectoscopes, ultrasonic or supersonic | No. | GIEQ | None | RO |
| | Industrial machinery and parts, n. e. s.: | | | | |
| 775098 | Parts for ultrasonic or supersonic reflectoscopes | | GIEQ | None | RO |

This part of the amendment shall become effective as of May 31, 1951.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations, as a result of changes set forth in Part 1 of this amendment which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., June 5, 1951, may be exported under the previous general license provisions up to and including June 30, 1951. Any such shipment not laden aboard the exporting carrier on or before June 30, 1951, requires a validated license for export.

3. Section 399.3 *Appendix C—Commodity Processing Codes* is amended in the following particulars:

The processing codes for certain commodities are amended to read as follows:

| Dept. of Com. Sched. B No. | Commodity | Processing code |
|---|---|---|
| 299993 | Vegetable ivory or tagua nuts | CERL |
| 777905 | Magnetic sound recorders for use as office appliances, all types, and component parts thereof.[1] | ELME |
| 832600 | Monosodium glutamate (Ajinomote) [2] | SUBT |
| 835900 | Cream of tartar (synthetic included) [3] | SUBT |
| 836700 | Sodium bicarbonate or baking soda [3] | SUBT |

[1] The office appliances classified under Schedule B Nos. 775200–777700; 777905 (except those specifically listed above); and 777915–777990, retain the processing code of CDGS.

[2] The industrial chemicals classified under Schedule B Nos. 831450–832500; 832600 (except those specifically listed above); and 832800–832970, retain the processing code of ORGN.

[3] The industrial chemicals classified under Schedule B Nos. 833600–835800; 835900 (except those specifically listed above); 836220–836600; and 836800–837950; retain the processing code of SALT.

The commodity processing codes for ball bearings, and parts, except balls, Schedule B No. 769100; roller bearings, and parts, except rollers, Schedule B No. 769200; balls for bearings, Schedule B No. 769310; and rollers for bearings, Schedule B No. 769315 are changed from GIEQ to GIEQ 3.[2]

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.; Pub. Law 33, 82d Cong.)

LORING K. MACY,
*Acting Director,*
*Office of International Trade.*

[F. R. Doc. 51-6573; Filed, June 6, 1951; 8:47 a. m.]

# TITLE 19—CUSTOMS DUTIES

## Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52742]

PART 14—APPRAISEMENT

PART 21—CARTAGE AND LIGHTERAGE

MISCELLANEOUS AMENDMENTS

Under present procedure, when merchandise is to be examined elsewhere than at the public stores, wharf, or other place in charge of a customs officer, the customs regulations require that the transfer shall be made by a bonded (licensed) cartman except as otherwise authorized by the Bureau in certain cases. However, in furtherance of the Department's policy of delegating appropriate administrative functions to collectors of customs and to further simplify customs requirements, it is deemed proper and advisable to authorize collectors to permit merchandise designated for examination at an importer's premises or other place not in charge of a customs officer to be carted, lightered, or carried to any such place by the importer without a cartman's or lighterman's license. The entry bond of the importer as now required to be modified in such cases guarantees that the merchandise shall be held intact at the place to which it will be removed for examination until released from customs custody. No further modification of the bond is necessary.

Accordingly, the following changes are made in the Customs Regulations of 1943:

1. Section 14.2 (d), Customs Regulations of 1943 (19 CFR 14.2 (d)), as amended, is hereby amended by deleting the second sentence.

(Sec. 624, 46 Stat. 759; 19 U. S. C. 1624. Interprets or applies secs. 488, 499, 46 Stat. 725, 728, as amended; 19 U. S. C. 1488, 1499)

2. Section 21.1 (a), as amended, § 21.3, and § 21.4 (b), Customs Regulations of 1943 (19 CFR 21.1 (a), 21.3, and 21.4 (b)), are hereby amended as follows:

a. Section 21.1 (a) is amended by changing the letter "C" in the first word to lower case and inserting before it the following: "Except as provided for in §§ 18.3 (d) and 21.4 (b),".

b. Section 21.3 is amended by inserting "(except as provided for in § 21.4 (b))" after the word "purpose".

c. Section 21.4 (b) is amended to read:

(b) Merchandise designated for examination at an importer's premises or other place not in charge of a customs officer may be carted, lightered, or carried to any such place by the importer without a cartman's or lighterman's license, when in the judgment of the collector the revenue will not be endangered. Otherwise, such transfer shall be done by a licensed cartman, who shall be the contract cartman whenever practicable.

(Sec. 624, 46 Stat. 759; 19 U. S. C. 1624. Interpret or apply sec. 565, 46 Stat. 747; 19 U. S. C. 1565)

[SEAL] D. B. STRUBINGER,
*Acting Commissioner of Customs.*

Approved: June 1, 1951.

JOHN S. GRAHAM,
*Acting Secretary of the Treasury.*

[F. R. Doc. 51-6601; Filed, June 6, 1951; 8:50 a. m.]

[2] This permits the filing of single applications for Positive List commodities having the same processing code symbol and number. (See § 372.2 (c) of this subchapter.)

# TITLE 21—FOOD AND DRUGS

## Chapter I—Food and Drug Administration, Federal Security Agency

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

MONOSODIUM GLUTAMATE AND OTHER HYDROLYZED VEGETABLE PROTEIN PRODUCTS

Pursuant to section 3 of the Administrative Procedure Act (60 Stat. 237, 238; 5 U. S. C. 1002), the following statement of policy is issued:

§ 3.23 *Notice to manufacturers and users of monosodium glutamate and other hydrolzed vegetable protein products.* Following a review of various statements submitted by manufacturers and distributors of monosodium glutamate and various hydrolyzed plant protein products, the following conclusions have been reached:

(a) The facts submitted establish that there are three classes of products to be considered:

(1) Purified monosodium glutamate.

(2) Hydrolyzed proteins (amino acid salts) from which none of the monosodium glutamate has been removed.

(3) Hydrolyzed proteins (amino acid salts), a by-product in the manufacture of purified monosodium glutamate but from which a substantial proportion of the monosodium glutamate has been removed.

(b) The statement of policy published in the FEDERAL REGISTER on June 9, 1949 (21 CFR 3.10; 14 F. R. 3120), is reaffirmed. Monosodium glutamate is the common or usual name of the substance covered in said statement of policy. It need not be declared as an artificial flavoring, but when used as an ingredient of food products should be declared by its common or usual name. It may not be used in a food for which a standard of identity has been promulgated unless the standard or any amendment thereto recognizes it as an optional ingredient. It may not be used under any circumstances in such a way as to conceal damage or inferiority or make the article appear better or of greater value than it is.

(c) (1) The substance described in paragraph (a) (2) of this section has

long been designated as "hydrolyzed vegetable protein."

(2) The substance covered by paragraph (a) (3) of this section should have a distinctive name, since one of its original constituents has been partially removed. Manufacturers have suggested that this substance be described as "hydrolyzed vegetable protein with reduced monosodium glutamate content." This designation appears acceptable.

(d) While the substances referred to in paragraph (a) (2) and (3) of this section contain a number of amino acid salts as well as sodium chloride, monosodium glutamate is the ingredient which has been quite generally emphasized, and is best known to consumers under that name. No objection is offered under the Federal Food, Drug, and Cosmetic Act to the addition of a quantitative declaration on the labels of containers of such hydrolyzed vegetable protein or hydrolyzed vegetable protein with reduced monosodium glutamate content showing the percentage amounts of monosodium glutamate, the total of other amino acid salts, salt, and water, if in liquid form, all to be declared in the order of their decreasing percentages. If monosodium glutamate represents a smaller proportion of the substance than the other amino acid salts and salt (sodium chloride), it should be declared last in the list of ingredients.

(e) When the substances described in paragraphs (a) (2) and (3) of this section are used as ingredients in a fabricated food, either may be declared as "salt and hydrolyzed vegetable protein" (or "salt and hydrolyzed plant protein") on the label of the fabricated food product; *Provided*, That where salt is declared as a separate ingredient of the fabricated food, in compliance with section 403 (i) (2) of the act, the word "salt" need not be repeated in connection with the "hydrolyzed vegetable protein" (or "hydrolyzed plant protein") declaration.

(Sec. 701, 52 stat. 1055; 21 U. S. C. 371)

Dated: June 1, 1951.

[SEAL] JOHN L. THURSTON,
*Acting Administrator.*

[F. R. Doc. 51-6575; Filed, June 6, 1951; 8:47 a. m.]

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PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

*l*-EPHENAMINE PENICILLIN G PREPARATIONS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 371), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR 141.1 et seq., and 1949 Supp.; 15 F. R. 9446) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR 146.1 et seq., and 1949 Supp.; 15 F. R. 9464) are amended as indicated below:

1. Part 141 is amended by adding the following new sections:

§ 141.43 *l-Ephenamine penicillin G*—(a) *Potency.* Proceed as directed in § 141.1, except in lieu of paragraph (d) of this section dissolve the sample in sufficient methanol before diluting with sterile distilled water to make an appropriate stock solution.

(b) *Sterility.* Proceed as directed in § 141.2.

(c) *Pyrogens.* Proceed as directed in § 141.3, except use physiological salt solution as the diluent and inject 2 milliliters per kilogram of a solution containing 800 units per milliliter.

(d) *Toxicity.* Proceed as directed in § 141.4, except use physiological salt solution as the diluent and inject, in a 10-second interval, 1.0 milliliter of a solution containing 800 units per milliliter.

(e) *Moisture.* Proceed as directed in § 141.5 (a).

(f) *pH.* Proceed as directed in § 141.5 (b), using a saturated aqueous solution prepared by adding 300 milligrams per milliliter.

(g) *Microscopical test for crystallinity.* Proceed as directed in § 141.5 (c).

(h) *Heat stability.* Proceed as directed in § 141.5 (d) (1), except prepare the sample as follows: Dissolve the sample in 5 milliliters of redistilled methanol. Further diute this solution with sufficient 1-percent phosphate buffer pH 6.0 to give a concentration of 2.0 milligrams per milliliter.

(i) *Penicillin G content.* Proceed as directed in § 141.26 (h) using the following formula for calculating the percent of *l*-ephenamine penicillin G:

$$\text{Percent of } l\text{-ephenamine penicillin G} = \frac{\text{N-ethyl piperidine penicillin precipitate} \times 251}{\text{Weight of sample in milligrams}}$$

(j) *Specific rotation.* Accurately weigh approximately 250 milligrams of the sample in a 25-milliliter glass-stoppered volumetric flask and dissolve in about 15 milliliters of absolute methanol, warming if necessary. Cool the solution to 20° C., dilute to 25 milliliters with absolute methanol at 20° C., and mix thoroughly. Transfer the solution to a 200-millimeter tube, determine the angular rotation in a suitable polarimeter, using sodium light or a 5,893 Angstrom filter, and calculate the specific rotation.

§ 141.44 *l-Ephenamine penicillin G in oil*—(a) *Potency.* Proceed as directed in § 141.27 (a), except the last sentence thereof. If it is represented to contain less than 300,000 units per milliliter, its potency is satisfactory if it contains not less than 85 percent of the number of units so represented. If it is represented to contain 300,000 units per milliliter, its potency is satisfactory if it contains not less than 90 percent of the number of units so represented.

(b) *Sterility.* Proceed as directed in § 141.7 (b).

(c) *Moisture.* Proceed as directed in § 141.7 (c).

§ 141.45 *l-Ephenamine penicillin G for aqueous injection*—(a) *Potency.* Proceed as directed in § 141.43 (a). Its potency is satisfactory if it contains not less than 90 percent of the number of units it is represented to contain.

(b) *Sterility.* Proceed as directed in § 141.2, except if it is the aqueous suspension of the drug and it does not contain a preservative incubate all tubes for 14 days.

(c) *Moisture.* Proceed as directed in § 141.5 (a).

(d) *Pyrogens.* Proceed as directed in § 141.3, except use physiological salt solution as the diluent and inject 2 milliliters per kilogram of a solution containing 800 units per milliliter.

(e) *Toxicity.* Proceed as directed in § 141.4, except use physiological salt solution as the diluent and inject, in a 10-second interval, 1.0 milliliter of a solution containing 800 units per milliliter.

(f) *pH*—(1) *Dry mixture of the drug.* Proceed as directed in § 141.5 (b), using a saturated aqueous solution prepared by adding 300 milligrams per milliliter.

(2) *Aqueous suspension of the drug.* Proceed as directed in § 141.5 (b), using the undiluted aqueous suspension.

(Sec. 701, 52 Stat. 1055, 21 U. S. C. 371)

2. Part 146 is amended by adding the following new sections:

§ 146.64 *l-Ephenamine penicillin G (penicillin G l-ephenamine salt)*—(a) *Standards of identity, strength, quality and purity.* *l*-Ephenamine penicillin G is the heat stable crystalline *levo*-N-methyl-1, 2-diphenyl-2-hydroxyethylamine salt of penicillin G, prepared from crystalline penicillin G and crystalline dl-N-methyl-1, 2 -diphenyl-2-hydroxyethylamine hydrochloride (98 percent purity and a melting point of 268.5° C. ±2.5° C.). It contains not less than 85 percent by weight of the *levo*-N-methyl-1, 2-diphenyl-2-hydroxyethylamine salt of penicillin G. It is so purified and dried that:

(1) Its potency is not less than 900 units per milligram;

(2) It is sterile;

(3) It is nonpyrogenic;

(4) It is nontoxic;

(5) Its moisture content is not more than 1.5 percent;

(6) Its pH in a saturated aqueous solution is not less than 5 and not more than 7.5; and

(7) Its specific rotation in methanol at 20° C. is +111°±2.5°.

(b) *Packaging.* In all cases the immediate container shall be a tight container as defined by the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying the seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so

caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package shall bear on its outside wrapper or container and the immediate container as hereinafter indicated, the following:

(1) The batch mark;

(2) The weight of the drug and the number of units in the immediate container;

(3) The statement "Expiration date ----------," the blank being filled in with the date which is 24 months after the month during which the batch was certified; and

(4) The statement "For manufacturing use only."

(d) *Request for certification; check tests and assays; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in the batch, the weight of the drug and the number of units in each package, and (unless it was previously submitted) the date on which the latest assay of the drug comprising such batch was completed. Such request shall be accompanied or followed by the results of tests and assays made by him for potency, sterility, toxicity, pyrogens, moisture, pH, crystallinity, heat stability, the penicillin G content, and specific rotation.

(2) Such person shall submit with his request a sample containing 10 approximately equal portions of at least 300 milligrams, each taken from different parts of such batch. Each such portion shall be packaged in a separate container and in accordance with the requirements of paragraph (b) of this section.

(3) In connection with contemplated requests for certification of batches of another drug in the manufacture of which it is to be used, the manufacturer of a batch which is to be so used may request the Commissioner to make check tests and assays on a sample of such batch taken as prescribed by subparagraph (2) of this paragraph. From the information required by subparagraph (1) of this paragraph may be omitted results of tests and assays not required for the batch when used in such other drugs. The Commissioner shall report to each manufacturer results of such check tests and assays as are so requested.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) $4.00 for each immediate container in the samples submitted in accordance with paragraph (d) (2) and (3) of this section; and

(2) If the Commissioner considers that investigations other than the examination of such immediate containers are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.65 *l-Ephenamine penicillin G in oil*—(a) *Standards of identity, strength, quality, and purity.* *l*-Ephenamine penicillin G in oil is a suspension of *l*-ephenamine penicillin G in refined peanut oil or sesame oil with or without the addition of one or more suitable and harmless dispersing agents. Its potency is 300,000 units per milliliter unless it is packaged and labeled solely for veterinary use. It is sterile. Its moisture content is not more than 1 percent. The *l*-ephenamine penicillin G used conforms to the requirements of § 146.64 (a). Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* The immediate container shall be of colorless transparent glass (unless it is packaged to contain a single dose), so closed as to be a tight container as defined by the U. S. P., shall be sterile at the time of filling and closing, and shall be so sealed that the contents cannot be used without destroying such seal. The immediate container shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. If it is packaged for dispensing, each such container shall contain not less than 1.0 milliliter and not more than 20 milliliters and each shall be filled with a volume in excess of that designated, which excess shall be sufficient to permit the withdrawal and the administration of the volume indicated, whether administered in single or multiple doses.

(c) *Labeling.* Each package shall bear on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container of the package:

(i) The batch mark;

(ii) The number of units per milliliter of the batch;

(iii) The statement "Expiration date ----------," the blank being filled in with the date which is 18 months after the month during which the batch was certified;

(iv) The statements "For intramuscular use only" and "Shake well"; and

(v) The name of each oil used in making the batch, and, if aluminum monostearate is used as the dispersing agent, the quantity used.

(2) On the circular or other labeling within or attached to the package, adequate directions for use and warnings as required by section 502 (f) of the act, including:

(i) Clinical indications;

(ii) Dosage and administration, including site of injection;

(iii) Contraindications; and

(iv) Untoward effects that may accompany administration, including sensitization.

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the *l*-ephenamine penicillin G used in making such batch was completed, the number of units in each of such packages, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and that each ingredient used in making such batch conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph such person shall submit in connection with his request results of tests and assays of the following, made by him on an accurately representative sample of:

(i) The batch; potency, sterility, and moisture.

(ii) The *l*-ephenamine penicillin G used in making the batch; potency, sterility, pyrogens, toxicity, moisture, pH, crystallinity, heat stability, penicillin G content, and specific rotation.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one package for each 500 packages in the batch, but in no case less than 3 packages nor more than 12 packages, collected by taking single packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The *l*-ephenamine penicillin G used in making the batch; 10 packages, each containing approximately 300 milligrams packaged in accordance with the requirements of § 146.64 (b).

(iii) In case of an initial request for certification, one package containing approximately 150 grams of the peanut oil or sesame oil used and one package containing approximately 5 grams of each dispersing agent used.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations of this part shall be:

(1) $4.00 for each package submitted in accordance with paragraph (d) (3) of this section; and

(2) If the Commissioner considers that investigations, other than examination of such packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations. The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.66 *l-Ephenamine penicillin G for aqueous injection*—(a) *Standards of identity, strength, quality, and purity.* *l*-Ephenamine penicillin G for aqueous injection is a dry mixture of *l*-ephenamine penicillin G and one or more suitable and harmless suspending or dispersing agents, with or without one or more suitable and harmless preservatives and buffer substances, or it is an aqueous suspension of *l*-ephenamine penicillin G and one or more suitable and harmless suspending or dispersing agents, buffer substances, and preservatives, except that preservatives are not required if the immediate container is packaged to contain a single dose and is conspicuously so labeled. It is so purified that:

(1) If it is an aqueous suspension of the drug, each container or each milliliter shall contain not less than 300,000 units;

(2) It is sterile;

(3) If it is the dry mixture of the drug, its moisture content is not more than 1.5 percent;

(4) It is nonpyrogenic;

(5) It is nontoxic; and

(6) Its pH in saturated aqueous solution is not less than 5.0 and not more than 7.5.

The *l*-ephenamine penicillin G used conforms to the requirements of § 146.64 (a). Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* In all cases the immediate containers shall be tight containers as defined by the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying such seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. In case it is packaged for dispensing, it shall be in immediate containers of colorless transparent glass, closed by a substance through which a hypodermic needle may be introduced and withdrawn without removing the closure or destroying its effectiveness, unless it is the aqueous suspension of the drug and it is packaged to contain a single dose. If it is the dry mixture of the drug, each such container shall contain 300,000 units, 600,000 units, 900,000 units, 1,200,000 units, 1,500,000 units, or 3,000,000 units, and each may be packaged in combination with a container of a suitable aqueous diluent. If it is the aqueous suspension of the drug, each such container shall contain not less than 1 milliliter (unless it is packaged to contain a single dose) and not more than 10 milliliters, and each shall be filled with a volume in excess of that designated, which excess shall be sufficient to permit the withdrawal and the administration of the volume indicated, whether administered in either single or multiple doses.

(c) *Labeling.* Each package shall bear on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark;

(ii) The number of units in the immediate container;

(iii) The statement "Expiration date _____," the blank being filled in, if it is the dry mixture of the drug, with the date which is 18 months, or if it is the aqueous suspension of the drug, with the date which is 12 months after the month during which the batch was certified;

(iv) The statement "For intramuscular use only"; and

(v) If the drug contains preservatives, the name and quantity of each preservative used.

(2) On the outside wrapper or container, if it is the aqueous suspension of the drug, the statement "Store in refrigerator not above 15° C. (59° F.)," or "Store below 15° C. (59° F.)."

(3) On the circular or other labeling within or attached to the package, if it is packaged for dispensing, adequate directions for use and warnings as required by section 502 (f) of the act, including:

(i) Clinical indications;

(ii) Dosage and administration;

(iii) If it is the dry mixture of the drug, the conditions under which suspensions made from such drug should be stored, and the statement "Sterile suspension may be kept at room temperature for 1 week, or in refrigerator for 3 weeks, without significant loss of potency";

(iv) Contraindications; and

(v) Untoward effects that may accompany administration, including sensitization.

If two or more immediate containers are in such package, the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of *l*-ephenamine penicillin G for aqueous injection shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the *l*-ephenamine penicillin G used in making such batch was completed, the number of units in each of such packages, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor by this section. If such batch, or any part thereof, is to be packaged with a solvent, such request shall also be accompanied by a statement that such solvent conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (5) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; potency, sterility, moisture (unless it is the aqueous suspension of the drug), pyrogens, toxicity, pH.

(ii) The *l*-ephenamine penicillin G used in making the batch; potency, crystallinity, heat stability, penicillin G content, and specific rotation.

(3) Except as otherwise provided by subparagraph (5) of this paragraph, if such batch is packaged for dispensing, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one immediate container for each 5,000 immediate containers in such batch, but in no case shall such sample consist of less than 10 or more than 17 immediate containers, collected by taking single immediate containers at such intervals, throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The *l*-ephenamine penicillin G used in making the batch; 3 packages containing approximately equal portions of not less than 500 milligrams each, packaged in accordance with the requirements of § 146.64 (b).

(iii) In case of an initial request for certification, each other ingredient used in making the batch, one package of each containing approximately 5 grams.

(iv) In case of an initial request for the certification of a batch which is to be packaged in combination with an aqueous diluent which is not recognized by the U. S. P., or when any change is made in the composition of such diluent; 5 packages of the diluent included in the combination.

(4) If such batch is packaged for repacking, such person shall submit with his request a sample containing 10 approximately equal portions equivalent to at least 300 milligrams, each taken from different parts of such batch; each such portion shall be packaged in a separate container and in accordance with the requirements of paragraph (b) of this section.

(5) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) $4.00 for each immediate container in the sample submitted in accordance with paragraph (d) (3) and (4) of this section; and

(2) If the Commissioner considers that investigations, other than examination of such immediate containers, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee

is covered by an advance deposit maintained in accordance with § 146.8 (d).

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

This order, which provides for tests and methods of assay and certification of three new antibiotic preparations, *l*-ephenamine penicillin G, *l*-ephenamine penicillin G in oil, and *l*-ephenamine penicillin G for aqueous injection, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industries will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industries and since it would be against public interest to delay providing for tests and methods of assay and certification of *l*-ephenamine penicillin G, *l*-ephenamine penicillin G in oil, and *l*-ephenamine penicillin G for aqueous injection.

Dated: June 1, 1951.

[SEAL] JOHN L. THURSTON,
*Acting Administrator.*

[F. R. Doc. 51-6576; Filed, June 6, 1951; 8:47 a. m.]

# TITLE 24—HOUSING AND HOUSING CREDIT

## Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 380]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 375]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CALIFORNIA, ILLINOIS, MICHIGAN, MISSOURI, AND NEW JERSEY

Amendment 380 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 375 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Schedule A, Item 26a, is amended to describe the counties in the Defense-Rental Area as follows:

Alameda County, except the Cities of Hayward, Livermore, Piedmont and San Leandro, and the Town of Pleasanton.

This decontrols the City of Piedmont in Alameda County, California, a portion of the Alameda County, California, Defense-Rental Area.

2. Schedule A, Item 31, is amended to describe the counties in the Defense-Rental Area as follows:

Sutter County; and Yuba County, except the Cities of Marysville and Wheatland, and the portion of Yuba County described as follows:

All North and East of a line beginning at a point on the line between Nevada County and Yuba County where said line is intersected by the south line of Township seventeen (17) North Range six (6) East MDB&M and running thence west along said Township line to the southwest corner of said Township; then north along the west line of Township seventeen (17) and eighteen (18) North, Range six (6) East to the point where said line intersects the line between Butte County and Yuba County.

Butte, except that portion described as follows:

All North and East of a line beginning at a point in the boundary line between Yuba and Butte Counties, California, between T. 18 N., R. 5 E. and T. 18 N., R. 6 E., thence North in Butte County along the east lines of T. 18 N., R. 5 E., T. 19 N., R. 5 E. and T. 20 N., R. 5 E. to NE. corner of T. 20 N., R. 5 E.; thence west along north line of T. 20 N., R. 5 E. to SE. corner of T. 21 N., R. 4 E.; thence north along east lines of T. 21 N., R. 4 E., T. 22 N., R. 4 E., and T. 23 N., R. 4 E. to the NE. corner of T. 23 N., R. 4 E.; thence west along the north lines of T. 23 N., R. 4 E., T. 23 N., R. 3 E., and T. 23 N., R. 2 E. to the boundary line between Butte and Tehama Counties, California.

This decontrols the City of Wheatland in Yuba County, California, a portion of the Marysville-Chico, California, Defense-Rental Area.

3. Schedule A, Item 39c, is amended to describe the counties in the Defense-Rental Area as follows:

Santa Clara County, except the Cities of Morgan Hill, Mountain View, Palo Alto, San Jose, Santa Clara and Sunnyvale, the Town of Los Gatos, and all unincorporated localities.

This decontrols the Cities of Morgan Hill and Sunnyvale in Santa Clara County, California, portions of the San Jose, California, Defense-Rental Area.

4. Schedule A, Item 83, is amended to describe the counties in the Defense-Rental Area as follows:

Cook County, except the Cities of Blue Island, Des Plaines and Park Ridge, and the Villages of Lansing, Mt. Prospect, Palatine, Riverdale, Westchester, Wilmette and Winnetka; Du Page County; Kane County; and Lake County, except the City of Lake Forest.

This decontrols the Village of Wilmette in Cook County, Illinois, a portion of the Chicago, Illinois, Defense-Rental Area.

5. Schedule A, Item 149, is amended to describe the counties in the Defense-Rental Area as follows:

Oakland County, except (i) the Townships of Addison, Avon, Bloomfield, Brandon, Commerce, Groveland, Highland, Holly, Independence, Milford, Novi, Oakland, Orion, Oxford, Rose, Springfield, Waterford and West Bloomfield, (ii) the Villages of Clarkston, Holly, Lake Orion, Leonard, Milford, Ortonville, Oxford, Rochester and that portion of Northville located in Oakland County, and (iii) the Cities of Birmingham, Bloomfield Hills, Farmington, Ferndale, Hazel Park, Pontiac, Royal Oak, South Lyon and Sylvan Lake; Wayne County, except (i) the Cities of Grosse Pointe, Grosse Pointe Farms, Plymouth and Roosevelt Park, (ii) the Villages of Grosse Pointe Shores, Trenton and Wayne, and (iii) that portion of the Village of Northville located in Wayne County; and Macomb County, except the City of Mount Clemens, and the Townships of Armada, Bruce, Lenox, Macomb, Ray, Richmond, Shelby, Sterling and Washington.

In Washtenaw County, the Township of Ann Arbor and the City of Ann Arbor.

This decontrols the Township of Novi in Oakland County, Michigan, and the City of Roosevelt Park in Wayne County, Michigan, portions of the Detroit, Michigan, Defense-Rental Area.

6. Schedule A, Item 170a, is amended to read as follows:

(170a) [Revoked and decontrolled.]

This decontrols (1) the City of Kirksville in Adair County, Missouri, a portion of the Kirksville, Missouri, Defense-Rental Area, and all unincorporated localities in said Defense-Rental Area, said City of Kirksville being the major portion of said Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Defense-Rental Area, consisting of the remaining incorporated portions of Adair County, if any, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

7. Schedule A, Item 191, is amended to describe the counties in the Defense-Rental Area as follows:

Warren County, except the Borough of Washington, the Town of Belvidere, and the Townships of Franklin, Mansfield, Oxford, Pahaquarry, Pohatcong, Hardwick and Frelinghausen.

The Counties of Hunterdon and Mercer.

This decontrols the Township of Pohatcong in Warren County, New Jersey, a portion of the Trenton, New Jersey, Defense-Rental Area.

All decontrols effected by this amendment, except Item 6 thereof, are based entirely on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective as of June 7, 1951.

Issued this 4th day of June 1951.

TIGHE E. WOODS,
*Housing Expediter.*

[F. R. Doc. 51-6596; Filed, June 6, 1951; 8:49 a. m.]

# TITLE 32A—NATIONAL DEFENSE, APPENDIX

## Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 6, Amendment 8]

CPR 6—FATS AND OILS

ALTERNATIVE PRICING METHOD FOR U. S. GOVERNMENT AGENCIES SELLING FAT-BEARING OR OIL-BEARING ANIMAL WASTE MATERIALS UNDER FIXED TERM CONTRACTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order 2 (16 F. R. 738) this Amendment 8 to Ceiling Price Regulation 6 is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 2 to Ceiling Price Regulation 6 added, among others, a new section 15 establishing ceiling prices for fat-bearing and oil-bearing animal waste materials. Ceiling prices for such ma-

terials were established by section 15 as the highest prices at which such materials were delivered to a purchaser of the same class during the base period from November 7 to December 7, 1951. This section has been interpreted as superseding section 4 (c) of Supplementary Regulation 1 to the General Ceiling Price Regulation which had theretofore exempted from price control sales of scrap, waste, damaged or used materials or commodities by a defense agency.

It has been brought to the attention of the Director of Price Stabilization that some inequities have occurred with respect to the pricing of sales of fat or oil-bearing animal wastes on the part of certain agencies of the United States Government, such as the departments of the Army, Navy, and Air Force, and their various installations, who customarily dispose of waste fats, interceptor grease, animal bones, food scraps and similar wastes under running term contracts, usually on an annual basis for the period of the fiscal year. Many of these agencies are now ready to invite competitive bids for such waste materials for the next fiscal year, but because they were selling them during the base period at prices below prevailing rates, due to prior long-term contract commitments, these agencies would be compelled to offer their waste materials for sale at this time subject to ceiling prices substantially below those now generally prevailing in the case of sales of like materials by other suppliers.

This amendment, therefore, gives government agencies the option of establishing their ceiling prices for fat or oil-bearing animal waste materials by adopting the prices of their most closely competitive seller. The result of this amendment will not only serve to remove the inequities caused by the long-term contracts entered into by some agencies, but will also enable buyers of waste materials covered by this amendment to bid for their acquisition at currently prevailing rates. Moreover, it will provide for government agencies the same flexibility of pricing their sales to private buyers, which is now accorded to private suppliers for their sales to agencies of the United States by General Overriding Regulation 2.

AMENDATORY PROVISIONS

Ceiling Price Regulation 6 is amended in the following respect:

Section 15 is amended by deleting the present section 15 and substituting therefor the following new section to read as follows:

SEC. 15. *Ceiling Prices for fat-bearing and oil-bearing animal waste materials.* (a) Ceiling prices for fat-bearing or oil-bearing animal waste materials are the highest prices at which such materials were delivered to a purchaser of the same class during the period from November 7 to December 7, 1950, inclusive. If such materials were not delivered during this period, the ceiling price shall be the highest price at which such materials were offered for delivery during this period to a purchaser of the same class. This offer must have been in writing. If no such materials were offered for delivery or dealt in during the above period, the ceiling prices for such materials shall be those of the seller's most closely competitive seller of the same class selling the same materials to the same class of purchaser.

(b) As an alternative to the method provided in paragraph (a) of this section, agencies of the United States Government, or any separate selling units of such agencies, who during the period from November 7 to December 7, 1950, inclusive, sold any of the waste materials covered by this section on the basis of fixed term contracts entered into with buyers of such materials prior to November 7, 1950, may determine their ceiling prices for future sales by adopting those of their most closely competitive seller.

(Sec. 704, Pub. Law 774, 81st Cong.)

*Effective date.* This amendment shall become effective June 11, 1951.

HAROLD LEVENTHAL,
*Acting Director of Price Stabilization.*

JUNE 6, 1951.

[F. R. Doc. 51-6687; Filed, June 6, 1951; 4:00 p. m.]

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[Ceiling Price Regulation 22, Supplementary Regulation 5]

## CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

### SR 5—USE OF FORMULA PRICING BY CONVERTERS OF PAPERBOARD

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 5 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

The segment of the paper industry known as converters of paperboard has historically priced its end products by the interplay of several factors, such as raw material costs, margin, converting and delivery charges. These end products, chiefly boxes made of various grades of paperboard, are similar only to the extent that they are containers. From that point the factors used in the formula vary with each other. Consequently, although during any base period a particular manufacturer had in fact sold or delivered a particular box, he could have by application of his formula provided his customers with ceiling prices for thousands of boxes, if an estimate with respect to such boxes had been requested of him.

Some box manufacturers on the basis of their formulas priced the standard commodities they were in a position to manufacture by publishing price lists, catalogues or manuals which merely reflected the sum total of the factors within the formula. But even in those instances, it was impracticable to list every conceivable size, shape, style or grade of box. However, upon request a price was quickly available for an unlisted item by the application of the formula.

The language in section 6 (c) of Ceiling Price Regulation 22 does not clearly indicate that a converter of paperboard could, in determining his base period price, apply his formula for a particular box the price of which was not announced or in effect in the base period, even though as outlined above, he had a pricing manual in effect during the base period with all of the information necessary to quote a price. To compel these manufacturers to comply literally with the other permissible pricing methods of Ceiling Price Regulation 22, such as sections 30 to 34 would require an infinite number of reports, and thereby render the use of such sections administratively impracticable. The simplest and most efficacious method of arriving at a ceiling price under Ceiling Price Regulation 22 would be to allow a converter of paperboard to determine to what extent his labor and materials costs have increased over his base period costs as permitted under the provisions of Ceiling Price Regulation 22 and apply this increase factor to the price for any commodity which he manufactured or could have manufactured during his base period by the use of his formula.

This method of formula pricing will enable box manufacturers, as well as others included in this segment of the industry, to calculate very quickly their ceiling prices under Ceiling Price Regulation 22 for all their formula pricing commodities. It merely extends to section 6 (c) of Ceiling Price Regulation 22 their historical pricing method, which any tailored regulation would be obliged to incorporate in arriving at ceiling prices.

This permitted use of formula pricing will obviate the necessity for many manufacturers to use sections 32 and 33 which relate generally to new commodities, new categories, new sellers and new classes of purchasers. To the extent sections 32 and 33 are not used the reporting requirements thereunder are waived.

In the judgment of the Director of Price Stabilization, the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950 and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Formula pricing for base period.
3. Changes in reporting.

AUTHORITY: Sections 1 to 3 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950, Supp.

SECTION 1. *What this supplementary regulation does.* (a) This supplementary regulation modifies section 6 of Ceiling Price Regulation 22 by permitting

converters of paperboard to determine their base period prices by the application of their pricing formulas in effect during the base period. The use of section 2 of this regulation will facilitate certain reporting requirements, as described in section 3.

(b) All other provisions of Ceiling Price Regulation 22 are unaffected by this supplementary regulation.

SEC. 2. *Formula pricing for base period.* A converter of paperboard who manufactures any commodity therefrom, such as boxes, laminated sheets, drums, pails, tubes and related products, and who cannot determine a base period price for all such commodities which he manufactures under section 6 (a), (b) or (c) of CPR 22, may use his pricing formula, in effect during the base period to satisfy the requirements of "a price list, catalogue, or similar statement" under section 6 (c). Such pricing formula must have been in writing or contained in some price list, catalogue or manual which reflected his raw material cost, margin, conversion and delivery charges in effect during his base period. In using such formula there is no requirement in this supplementary regulation for any deliveries of such commodities.

SEC. 3. *Change in reporting.* If you determine any or all of your base period prices under this supplementary regulation, then (a) for those commodities, the base period prices of which are determined under section 2 of this regulation, the provisions of sections 32 and 33 of CPR 22 are waived, and (b) you need not report in Item 8 of OPS Public Form 8 all products whose ceiling prices are higher than those under the General Ceiling Price Regulation, but only three standard items which you actually sold or delivered during the base period.

*Effective date.* This supplementary regulation shall become effective on July 2, 1951, or such earlier date between May 28, 1951 and July 2, 1951, as you may select. If you select such an earlier date, the regulation becomes effective as to you upon that date for all of your commodities covered by the supplementary regulation.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

HAROLD LEVENTHAL,
*Acting Director of Price Stabilization.*

JUNE 6, 1951.

[F. R. Doc. 51-6676; Filed, June 6, 1951; 11:06 a. m.]

## TITLE 41—PUBLIC CONTRACTS

### Chapter III—Committee on Purchases of Blind-Made Products

PART 301—PURCHASES OF BLIND-MADE PRODUCTS

CLEARANCES

Section 301.6 *Clearances* is revised to read as follows:

§ 301.6 *Clearances.* (a) The Federal Supply Service may grant to any ordering office a clearance to purchase from commercial sources any item listed in the Schedule when the Federal Supply Services determines that a clearance is necessary to meet emergency requirements. Two copies of any such clearance issued, together with a statement as to the emergency involved, will be sent by the Federal Supply Service to National Industries for the Blind within thirty days after issuance thereof.

(b) Any ordering office may purchase from commercial sources any item listed in the Schedule to meet requirements (1) of military necessity which require delivery within two weeks (2) that are less than a single unit or (3) that are for use outside the continental United States.

(c) Whenever an ordering office has requested an allocation from National Industries and in reply has been furnished with a statement by the National Industries listing items that none of the agencies for the blind can furnish within the period specified in the request for an allocation the ordering office may purchase the items, and quantities thereof, listed in the statement from commercial sources; *Provided,* That purchase action to secure such items is instituted within thirty days from the date of the statement by National Industries or within such further period as may be indicated in the statement by National Industries.

(Sec. 2, 52 Stat. 1196; 41 U. S. C. 47)

Issued: May 25, 1951.

ROBERT LEFEVRE,
*Secretary.*

[F. R. Doc. 51-6579; Filed, June 6, 1951; 8:48 a. m.]

# NOTICES

## FEDERAL POWER COMMISSION

[Docket No. G-1148]

PHILLIPS PETROLEUM CO.

ORDER GRANTING MOTION FOR OMMISSION OF INTERMEDIATE DECISION PROCEDURE AND FIXING DATE FOR ORAL ARGUMENT

MAY 31, 1951.

At the conclusion of the hearing in this matter, Commission staff counsel made an oral motion before the Presiding Examiner, pursuant to § 1.30 (c) of the rules of practice and procedure, requesting that the intermediate decision procedure be omitted. This motion was concurred in by counsel for respondent and all counsel present. In concurring in the motion for omission of the intermediate decision procedure, counsel for respondent requested oral argument before the Commission and all counsel joined in this request.

The Presiding Examiner has fixed June 22, 1951, as the date for the filing of initial briefs and July 5, 1951 for the filing of reply briefs. The motions for the omission of the intermediate decision procedure and for oral argument have been referred to the Commission for its consideration.

The Commission finds: Good cause exists for omitting the intermediate decision procedure and for setting the matter for oral argument.

The Commission orders:

(A) The motion for omission of the intermediate decision procedure be and the same is hereby granted.

(B) The matters involved and the issues presented in this proceeding be and the same are hereby set for oral argument before the Commission commencing at 10:00 a. m., e. d. s. t., on July 9, 1951, in Conference Room "B" of the Departmental Auditorium, Constitution Avenue between Twelfth and Fourteenth Streets NW., Washington, D. C.

Date of issuance: June 1, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
*Acting Secretary.*

[F. R. Doc. 51-6561; Filed, June 6, 1951; 8:45 a. m.]

## DEPARTMENT OF COMMERCE

### Federal Maritime Board

[Docket No. M-33]

SOUTH ATLANTIC STEAMSHIP LINE, INC.

NOTICE OF HEARING ON APPLICATION TO BAREBOAT CHARTER GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSELS

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that an informal public hearing will be held at Washington, D. C., on June 12, 1951, at 10 o'clock a. m., e. d. s. t., in Room 4823 Department of Commerce Building, before Examiner Robert Furness, upon the application of South Atlantic Steamship Line, Inc., to bareboat charter two Victory-type AP-2 Cargo vessels for use in applicant's existing berth service, Trade Route No. 11 between South Atlantic ports of the United States, including Hampton Roads ports, and ports in the United Kingdom and Atlantic Europe, and for calls eastbound only at Philadelphia and/or Baltimore as cargo offers to load bulk grain in liner parcels and/or armed services cargo for

United Kingdom and/or Continent Bordeaux-Hamburg range.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and would not be adequately served without the use therein of such vessels, and with respect to the availability of privately-owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service.

All persons having an interest in such application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days within which to file exceptions to or memoranda in support of the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: May 27, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS, *Secretary.*

[F. R. Doc. 51-6603; Filed, June 6, 1951; 8:51 a. m.]

## National Production Authority

[NPA Del. 7 as amended June 7, 1951]

DIRECTORS OF REGIONAL OFFICES AND MANAGERS OF DISTRICT OFFICES OF THE DEPARTMENT OF COMMERCE

DELEGATION OF AUTHORITY TO ADMINISTER NPA ORDER M-4

NPA Del. 7 as amended April 17, 1951, is amended by making certain changes in List A.

Del. 7 as amended reads as follows:

1. Pursuant to the authority of section 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; Defense Production Administration Delegation 1, January 24, 1951; and U. S. Department of Commerce Order 123 as amended, the following administrative functions to be performed pursuant to NPA Order M-4 are delegated to the Directors of the Regional Offices of the U. S. Department of Commerce, and the Managers of the District Offices of the U. S. Department of Commerce, specified in List A of this delegation:

(a) To receive, consider, pass upon, and take action for and in the name of the National Production Authority upon, applications for an authorization to commence construction pursuant to section 6 of NPA Order M-4.

(b) To receive, consider, pass upon, and take action for and in the name of the National Production Authority upon, applications for adjustment and exception based upon unreasonable hardship pursuant to section 11 of NPA Order M-4.

(c) To receive, consider, pass upon, and take action for and in the name of the National Production Authority upon, applications for exemption where the prohibition of such construction would not be in the interest of the national defense pursuant to section 11 of NPA Order M-4.

2. Actions taken by a Regional Director or District Manager pursuant to this delegation shall be signed as follows:

National Production Authority
By ----------
(Name and Title)

3. Whenever the Regional Director or District Manager is absent from his office for a period longer than 3 days, he is authorized to delegate to the person placed in charge of the office during his absence the right to sign the name of the Regional Director or the District Manager to actions taken pursuant to this delegation.

This delegation as amended shall take effect on June 7, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
*Administrator.*

LIST A

REGIONAL OFFICES TO WHOSE DIRECTORS THIS DELEGATION EXTENDS

Region I—1800 Customhouse, Boston 9, Mass.
Region II—42 Broadway, New York 4, N. Y.
Region III—Jefferson Building, 1015 Chestnut Street, Philadelphia 6, Pa.
Region IV—Room 2, Mezzanine, 801 East Broad Street, Richmond 19, Va.
Region V—418 Atlanta National Building, 50 Whitehall Street SW., Atlanta 3, Ga.
Region VI—410 Union Commerce Building, 925 Euclid Avenue, Cleveland 14, Ohio.
Region VII—1763 La Salle-Wacker Building, 221 North La Salle Street, Chicago 1, Ill.
Region VIII—207 Minnesota Federal Savings and Loan Building, 607 Marquette Avenue, Minneapolis 2, Minn.
Region IX—2400 Fidelity Building, 911 Walnut Street, Kansas City 6, Mo.
Region X—Room 1114, 1114 Commerce Street, Dallas 2, Tex.
Region XI—142 New Customhouse, Nineteenth and Stout Streets, Denver 2, Colo.
Region XII—315 Flood Building, 870 Market Street, San Francisco 2, Calif.
Region XIII—809 Federal Office Building, 909 First Avenue, Seattle 4, Wash.

DISTRICT OFFICES TO WHOSE MANAGERS THIS DELEGATION EXTENDS

312 Court Square Building, 200 East Lexington Street, Baltimore 2, Md.
731 Frank Nelson Building, Second Avenue and Twentieth Street, Birmingham, Ala.
719 James Building, Eighth and Broad Street, Chattanooga 2, Tenn.
1404 Federal Reserve Bank Building, 105 West Fourth Street, Cincinnati 2, Ohio.
601 Securities Building, 418 Seventh Street, Des Moines 9, Iowa.
1038 Federal Building, 230 West Fort Street, Detroit 26, Mich.
Chamber of Commerce Building, 310 San Francisco Street, El Paso, Tex.
224 Post Office Building, 135 High Street, Hartford 1, Conn.
602 Federal Office Building, Houston 14, Tex.
425 Federal Building, 311 West Monroe Street, Jacksonville 1, Fla.
1546 United States Post Office and Courthouse, 312 North Spring Street, Los Angeles 12, Calif.
631 Federal Building, Louisville 2, Ky.
229 Federal Building, Memphis 3, Tenn.
947 Seybold Building, 36 Northeast First Street, Miami 32, Fla.
308 Federal Building, 109-13 St. Joseph Street, Mobile 10, Ala.
1508 Masonic Temple Building, 333 St. Charles Avenue, New Orleans, La.
502 W. O. W. Building, 1319 Farnam Street, Omaha 2, Neb.
1021 Clark Building, 717 Liberty Avenue, Pittsburgh 22, Pa.
217 Old United States Courthouse, 520 Southwest Morrison Street, Portland 4, Oreg.
327 Post Office Annex, Providence 3, R. I.
910 New Federal Building, 1114 Market Street, St. Louis 1, Mo.
528 Dooly Building, 109 West Second Street South, Salt Lake City 1, Utah.
518 Bedell Building, 118 Broadway, San Antonio, Tex.
411 Pennsylvania Building, Front and French Streets, Wilmington, Del.

[F. R. Doc. 51-6688; Filed, June 6, 1951; 11:32 a. m.]

[Delegation 14]

ADMINISTRATOR OF FEDERAL SECURITY AGENCY ET AL.

DELEGATION OF AUTHORITY TO PROCESS APPLICATIONS UNDER NPA ORDER M-4

1. Pursuant to the authority under the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Orders 10161 (15 F. R. 6105) and 10200 (16 F. R. 61), and Defense Production Administration Delegation 1 (16 F. R. 738), the following functions to be performed pursuant to NPA Order M-4 (Construction) are delegated to each of the persons named in Table 1, with power to redelegate and to authorize successive redelegations with respect to the categories of construction set forth in said table opposite his name:

(a) To receive, consider, pass upon, and take action in his own name, including appellate action, upon applications for authorization to commence construction, pursuant to section 6 of NPA Order M-4;

(b) To receive, consider, pass upon, and take action in his own name, including appellate action, upon applications for adjustment or exception based upon a claim of unreasonable hardship, or upon a claim that prohibition of the construction is not in the interest of the national defense, pursuant to section 11 of NPA Order M-4.

2. Notwithstanding paragraph 1 of this delegation, the authority delegated hereby does not include any category of construction specified in List A of NPA Order M-4, except that the Administrator of the Federal Security Agency and the Administrator for Veterans Affairs may take action with respect to such a category if such construction is required as part of an integrated hospital program.

3. Notwithstanding paragraph 1 of this delegation, the authority delegated hereby does not include the approval of the commencement of construction of any office building, administration building, retail store, retail outlet, or service store unless such construction is an integral part of a category of construction respectively specified in Table I.

4. Any authorization, adjustment, or exception under NPA Order M–4 issued by any delegate named in this delegation pursuant to any of the foregoing paragraphs must be correlated with the delegate's activities under the Controlled Materials Plan of the National Production Authority; and the projects approved by each delegate, and the allotment of controlled materials made therefor, will be charged against the total construction program and allotments approved for such delegate by the Defense Production Administration.

5. Insofar as it is inconsistent herewith, this delegation supersedes NPA Delegation No. 7.

6. As used in this delegation, the terms "petroleum," "gas," "solid fuels," "electric power," "metals and minerals," "food," "domestic transportation," "storage," and "port facilities" have the same meanings as are set forth in Executive Order 10161.

7. Any action taken under this delegation shall be signed in the name of the delegate or redelegate by the individual taking such action and shall be authenticated by the signature of such individual together with the title of his position.

This delegation shall take effect on June 7, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
*Administrator.*

TABLE I

| *Delegate* | *Category of construction* |
|---|---|
| The Administrator of the Federal Security Agency. | All school and library construction; all hospital and health facility construction other than the Veterans' Administration and military hospitals; all other health and sanitation programs. |
| The Administrator of Veterans Affairs. | The hospital program of the Veterans' Administration. |
| The Administrator of the Housing and Home Finance Agency. | Housing construction, alteration, and repair, except housing and community facilities on federally owned property under the control of the Atomic Energy Commission, and except housing on military reservations. |
| The Secretary of Agriculture | Farm construction; food production and processing facilities and wholesale food distribution facilities within the limits of the memorandum of agreement between the Administrator of the Production and Marketing Administration and the Administrator of the National Production Authority (16 F. R. 3410) as from time to time amended or supplemented. |
| The Secretary of the Interior | Facilities for departmental programs of the Department of the Interior; facilities for the production, preparation, and processing of solid fuels; facilities for the generation, transmission, and distribution of electric power; facilities for the production and processing of the metals and minerals listed in column 1 of appendix A of NPA Delegation No. 5; facilities for the production and processing of fishery products. |
| The Petroleum Administrator for Defense. | Facilities for the production, processing, refining, and distribution of petroleum and gas. |
| The Secretary of Commerce | Bureau of Public Roads programs for highway construction and maintenance of all rural and urban highways, streets, highway equipment repair shops, bridges, tunnels, toll road facilities, and appurtenant installations, regardless of financing; air navigation facilities, civil airports; shipyards. |
| The Administrator of the Defense Transport Administration. | Facilities for domestic transportation, storage, and port facilities, as defined in E. O. 10161. |

[F. R. Doc. 51–6689; Filed, June 6, 1951; 11:33 a. m.]

## FEDERAL TRADE COMMISSION

[File No. 21–153]

SET-UP PAPER BOX INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, or other parties, including farm, labor, and consumer groups, affected by or having an interest in the proposed trade practice rules for the set-up paper box industry, to present to the Commission such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose copies of the proposed rules may be obtained upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than June 28, 1951. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., d. s. t., June 28, 1951, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any person who desires to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

The industry for which these rules are proposed is composed of persons, firms, corporations and organizations engaged in the business of manufacturing, selling, or offering for sale of boxes fabricated from noncorrugated paperboard of the set-up (noncollapsible) type. Such boxes are used extensively in the distribution and marketing of shirts, hosiery, proprietary drugs, and numerous other products.

Issued: June 4, 1951.

By the Commission.

[SEAL] D. C. DANIEL,
*Secretary.*

[F. R. Doc. 51–6593; Filed, June 6, 1951; 8:49 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26135]

SULPHATE BLACK LIQUOR SKIMMINGS FROM TEXAS, ARKANSAS, AND LOUISIANA TO NATCHEZ, MISS.

APPLICATION FOR RELIEF

JUNE 4, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3894, 3906, and 3908.

Commodities involved: Sulphate black liquor skimmings, in tank-car loads.

From: Houston, Tex., Camden and Crossett, Ark., Bastrop and Spring Hill, La.

To: Natchez, Miss.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3894, Supp. 71; D. Q. Marsh's tariff I. C. C. No. 3908, Supp. 57; D. Q. Marsh's tariff I. C. C. No. 3906, Supp. 51.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
*Secretary.*

[F. R. Doc. 51–6585; Filed, June 6, 1951; 8:48 a. m.]

[4th Sec. Application 26136]

SCRAP ALUMINUM FROM TENNESSEE AND ALABAMA TO SOUTHERN AND OFFICIAL TERRITORIES

APPLICATION FOR RELIEF

JUNE 4, 1951.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1172 and other tariffs, pursuant to fourth-section order No. 9800.

Commodities involved: Scrap aluminum, in carloads.

From: Memphis, Alcoa and Maryville, Tenn.; Listerhill and Sheffield, Ala., and other specified points in southern territory.

To: Specified points in southern and official territories.

Grounds for relief: Circuitous routes and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-6586; Filed, June 6, 1951; 8:48 a. m.]

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[4th Sec. Application 26137]

LIQUEFIED PETROLEUM GAS FROM MOBILE, ALA., TO OFFICIAL TERRITORY EAST OF ILLINOIS-INDIANA STATE LINE

APPLICATION FOR RELIEF

JUNE 4, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1065.

Commodities involved: Liquified petroleum gas, in tank-car loads.

From: Mobile, Ala.

To: Points in official territory east of the Illinois-Indiana State line.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1065, Supp. 227.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-6587; Filed, June 6, 1951; 8:48 a. m.]

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[4th Sec. Application 26138]

METHANOL FROM MILITARY, KANS., TO W. T. L. TERRITORY

APPLICATION FOR RELIEF

JUNE 4, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3614.

Commodities involved: Methanol and anti-freeze preparations, carloads.

From: Military, Kans.

To: Specified points in western trunk-line territory.

Grounds for relief: Circuitous routes and market competition.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3614, Supp. 115.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-6588; Filed, June 6, 1951; 8:49 a. m.]

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[4th Sec. Application 26139]

COMMODITY RATES BETWEEN POINTS IN W. T. L. TERRITORY

APPLICATION FOR RELIEF

JUNE 4, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3733 and Chicago, St. Paul, Minneapolis, and Omaha Railway Company tariff I. C. C. No. 4856.

Commodities involved: Various commodities, carloads.

Between: Points in western trunk-line territory.

Grounds for relief: Competition with rail carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-6589; Filed, June 6, 1951; 8:49 a. m.]

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[4th Sec. Application 26140]

PETROLEUM PRODUCTS FROM WILMINGTON, N. C., TO WESTERN NORTH CAROLINA AND SOUTH CAROLINA

APPLICATION FOR RELIEF

JUNE 4, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1065.

Commodities involved: Petroleum and petroleum products, in tank-car loads, as described in items 469 and 472 of above-mentioned tariff.

From: Wilmington, N. C.

To: Points in western North Carolina and South Carolina.

Grounds for relief: Circuitous routes and market competition.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1065, Supp. 228.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application.

Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-6590; Filed, June 6, 1951; 8:49 a. m.]

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[4th Sec. Application 26141]

COKE FROM ALABAMA TO DECATUR, GA.

APPLICATION FOR RELIEF

JUNE 4, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for Birmingham Southern Railroad Company and other carriers named in the application.

Commodities involved: Coke, coke breeze, dust and screenings, carloads.

From: Birmingham, Ala., and points in the Birmingham district.

To: Decatur, Ga.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates; C. A. Spaninger's tariff I. C. C. No. 1150, Supp. 23.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-6591; Filed, June 6, 1951; 8:49 a. m.]

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[4th Sec. Application 26142]

SCRAP TIN OR TERNE PLATE FROM ORLANDO, FLA., TO PITTSBURGH, PA.

APPLICATION FOR RELIEF

JUNE 4, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1193.

Commodities involved: Scrap tin or terne plate, carloads.

From: Orlando, Fla.

To: Pittsburgh, Pittsburgh (West End) and Neville Island, Pa.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates; C. A. Spaninger's tariff I. C. C. No. 1193, Supp. 19.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-6592; Filed, June 6, 1951; 8:49 a. m.]

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## SECURITIES AND EXCHANGE COMMISSION

PAUL KAYE

MEMORANDUM OPINION AND ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 1st day of June A. D. 1951.

In the matter of Paul Kaye, 60 E. 42d Street, New York, New York.

This proceeding was instituted pursuant to section 15 (b) of the Securities Exchange Act of 1934 ("the act") to determine whether Paul Kaye, a registered dealer, willfully violated section 17 (a) of the act and Rule X-17A-5 thereunder and, if so, whether it is in the public interest to revoke his registration.[1]

The proceeding was instituted on March 15, 1951, by notice and order for hearing, a copy of which was sent by registered mail to Kaye. Despite receipt of the registered letter, Kaye did not appear personally or through a representative at the time and place designated in the notice, nor did he file a motion to change the place of hearing.

On November 28, 1942, we promulgated Rule X-17A-5 under section 17 (a) of the act, which provides, among other things, that every registered broker or dealer must file with this Commission a report of financial condition during each calendar year commencing with the year 1943. Promulgation of the rule was announced by publication in the FEDERAL REGISTER, by release to the press, and by distribution to persons on our mailing list.

Kaye's registration became effective on September 8, 1944, and has not been withdrawn, cancelled, revoked or suspended. Our records show that he did not file the required reports during any year from 1946 through 1950.

In a letter dated March 26, 1951, wherein he acknowledged receipt of the registered notice, and in copies of two letters enclosed in the March 26 letter, Kaye indicated that in 1946 he was advised of the necessity for filing financial reports, but that his records were in the Attorney General's office. However, this fact of itself did not excuse his failure to file financial reports for the years 1947 through 1950. We therefore find that Kaye was fully apprised of the necessity for filing financial reports and that he willfully violated section 17 (a) of the act and Rule X-17A-5 thereunder as a result of his failure to do so for the years 1947 through 1950.

We conclude, on the basis of the foregoing, that it is necessary in the public interest to revoke his registration. However, in view of the fact that Kaye was not present at the hearing, and to avoid any possible prejudice to him, our order will provide that the revocation of his registration be without prejudice to a motion on his part to reopen the proceeding and to seek, upon a proper showing, to set aside the order of revocation.

*Accordingly, it is ordered,* That the registration of Paul Kaye as a dealer be, and it hereby is, revoked without prejudice to a motion by said Paul Kaye to reopen the record in the proceeding and, upon a proper showing, to set aside the order of revocation.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-6569; Filed, June 6, 1951; 8:46 a. m.]

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[File Nos. 59-10, 54-82, 59-39, 54-50, 54-147]

NORTH AMERICAN CO. ET AL.

MEMORANDUM OPINION AND ORDER DENYING PETITION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 1st day of June A. D. 1951.

In the matter of The North American Company and its subsidiary companies, File No. 59-10; The North American Company, File No. 54-82; North American Light & Power Company Holding Company System and The North Ameri-

[1] Section 15 (b) provides in part:

"The Commission shall, after appropriate notice and opportunity for hearing, by order * * * revoke the registration of any broker or dealer if it finds that such * * * revocation is in the public interest and that (1) such broker or dealer * * * (D) has willfully violated any provision * * * of this title, or of any rule or regulation thereunder."

can Company, File No. 59-39; North American Light & Power Company, File No. 54-50; Illinois Power Company, File No. 54-147.

On May 7, 1951, we issued a memorandum opinion and order in the above entitled proceedings in which we held, among other things, that an application by Amelie A. Wallace and John Wallace for an allowance for fees and expenses should be denied for the reason that they had not made any contribution for which they should be compensated. The Wallaces have filed a petition for a reconsideration of their application for allowances and for a rehearing in which they might establish on the record by examination of those members of the Commission's staff who have knowledge thereof the steps taken by the staff with respect to the program proposed by the Wallaces in a letter written to this Commission in 1941.

The petition for reconsideration and rehearing presents nothing new and is in effect merely a reargument of matters already considered. Applications on behalf of the Wallaces to subpoena and examine former members of our staff were presented during the proceedings. It has been our consistent policy not to permit inquiry into the steps taken by our staff in the course of its exploration into questions relating to the formulation of a plan of reorganization under section 11 or other forms of compliance with the act.

*Accordingly, it is ordered,* That the petition of Amelie A. Wallace and John Wallace in the above entitled proceedings for reconsideration and rehearing be, and it is hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-6564; Filed, June 6, 1951; 8:45 a. m.]

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[File No. 70-2612]

UNION ELECTRIC CO. OF MISSOURI AND UNION ELECTRIC POWER CO.

ORDER PERMITTING ACQUISITION BY REGISTERED HOLDING COMPANY OF ADDITIONAL SHARES OF COMMON STOCK OF SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 1st day of June A. D. 1951.

Union Electric Company of Missouri ("Union"), a registered holding company and an electric utility subsidiary of The North American Company, also a registered holding company, and Union Electric Power Company ("Union Electric Power"), a wholly owned electric utility subsidiary of Union, having filed with this Commission an application-declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 ("act") and particularly sections 6 (b), 9 (a) and 10 thereof and Rule U-44 thereunder, with respect to the following proposed transactions:

Union Electric Power proposes to issue and sell to Union from time to time during the period ending December 31, 1952, $7,000,000 aggregate par value of additional shares of its Common Stock, of the par value of $20 per share, which will be pledged by Union with the trustee of Union's mortgage securing its First Mortgage and Collateral Trust Bonds. Union Electric Power proposes to use the proceeds from the sale of its stock for the construction of new facilities and to reimburse its treasury for monies previously expended for such purpose.

The proposed issuance and sale of common stock by Union Electric Power have been approved by the Illinois Commerce Commission and the acquisition of such common stock by Union has been approved by the Missouri Public Service Commission.

Applicants-declarants estimate that the fees and expenses incident to the proposed transactions will aggregate $13,300, including $2,000 for legal services.

Said amended application-declaration having been duly filed and notice of such filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said amended application-declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration, as amended, that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied, that no adverse findings are necessary, that the fees and expenses in the estimated amounts are not unreasonable, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective forthwith:

*It is ordered,* Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-6568; Filed, June 6, 1951; 8:46 a. m.]

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[File No. 70-2623]

BIRMINGHAM ELECTRIC CO.

ORDER GRANTING APPLICATION TO ACQUIRE PROMISSORY NOTES IN CONNECTION WITH SALE OF TRANSPORTATION PROPERTIES

At a regular session of the securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 31st day of May 1951.

Birmingham Electric Company ("Birmingham"), a public utility company and an indirect subsidiary of The Southern Company, a registered holding company, having filed an application, and amendments thereto, pursuant to sections 9 (a) and 10 of the Public Utility Holding Company Act of 1935 ("act") regarding the following proposed transactions:

This Commission on August 24, 1950, entered an order whereby Alabama Power Company, a public utility subsidiary of The Southern Company, was permitted to acquire certain capital stock of Birmingham. Such order provided, in effect, that Alabama Power Company shall dispose, not later than August 31, 1951, of any direct or indirect interest in the transportation properties and business owned by Birmingham. On May 2, 1951, Birmingham notified this Commission, pursuant to the provisions of Rule U-44 (c) under the act, that it has entered into an agreement dated April 10, 1951 with a group of Birmingham businessmen for the sale of its transportation properties and business. The Commission determined that no declaration was required to be filed in connection with the proposed sale. The details with respect to the proposed sale are more fully set forth in Holding Company Act Releases No. 10551. The proposed sale and abandonment of its transportation business by Birmingham upon consummation of such sale have been authorized by the Alabama Public Service Commission.

Part of the consideration to be received by Birmingham under the terms of the agreement is to consist of $800,000 principal amount of purchase money obligations of an Alabama corporation to be organized by the purchasers and to which Birmingham will transfer the real estate upon which are located the transportation offices, garages, shops and storage yards used by Birmingham in its transportation business. Such obligations will be dated as of the date of transfer of Birmingham's property to be sold, will be secured by a first mortgage on all of the property of the new Alabama corporation, will bear interest at the rate of 4½ percent per annum, payable annually, will mature twelve years after date and will be amortized at the rate of $25,000 per annum for the first four years and at the rate of $50,000 thereafter.

Said application having been filed on May 2, 1951, and amendments having been filed on May 23, 1951 and on May 28, 1951, notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that said amended application satisfies the requirements of the applicable provisions of the act and the rules thereunder, that no adverse findings are necessary in connection with the proposed transaction, that the estimated fees and expenses are not unreasonable, and that the amended application should be granted without the imposition of terms and conditions other than those contained in Rule U-24; and the Commission deeming it appro-

priate to grant the request of applicant that said order herein become effective upon the issuance thereof:

*It is ordered*, Pursuant to said Rule U-23 and the applicable provisions of said act that the amended application be, and the same hereby is, granted, effective forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-6565; Filed, June 6, 1951; 8:45 a. m.]

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[File No. 70-2624]

NEW ENGLAND POWER CO. AND LOWELL ELECTRIC LIGHT CORP.

ORDER AUTHORIZING ISSUANCE OF PROMISSORY NOTES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 31st day of May A. D. 1951.

New England Power Company ("NEPCO") and The Lowell Electric Light Corporation ("Lowell"), subsidiary public utility companies of New England Electric System, a registered holding company, having filed applications-declarations, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 and Rule U-42 (b) (2) promulgated thereunder, with respect to the following transactions:

NEPCO proposes to issue under the terms and provisions of a bank loan agreement to five banks, namely, The First National Bank of Boston, The Chase National Bank of the City of New York, Central Hanover Bank and Trust Company, Irving Trust Company and The New York Trust Company, from time to time but not later than December 31, 1951, promissory notes in the aggregate principal amount up to but not exceeding $12,000,000. Said notes will mature April 1, 1952, and will bear interest at not less than 2½ percent per annum nor more than 2¾ percent per annum. The proceeds from said notes will be used by NEPCO to finance temporarily its construction program through 1951.

Lowell proposes to issue under the terms and provisions of a bank loan agreement to the above named banks, from time to time but not later than November 1, 1951, promissory notes in an aggregate amount up to but not exceeding $2,700,000. Lowell's new notes will mature April 1, 1952 and will bear interest at not less than 2½ percent nor more than 2¾ percent. Of the proceeds to be derived from said notes, $2,100,000 will be used to retire an equivalent principal amount of notes now outstanding, and the balance to finance temporarily its construction program through 1951.

NEPCO's bank agreement provides, among other things, for commitment commissions at the rate of ¼ of 1 percent per annum on the average daily difference between the amount of the banks' commitment and the amount borrowed thereunder while, in the case of Lowell, no commitment commission will be paid.

Each of the applicants-declarants states that if any permanent financing is done before the maturity date of the notes proposed to be issued, it will apply the proceeds from such financing in reduction of, or in total payment of, promissory notes authorized and then outstanding and the amount of notes, authorized but then unissued, if any, will be reduced by the amount, if any, by which such permanent financing exceeds the amount of promissory notes at the time outstanding.

The applications-declarations state that incidental services in connection with the proposed transactions will be performed, at cost, by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed $1,000 for each of the applicants-declarants, or the aggregate sum of $2,000. Other expenses, including out-of-pocket expenses and counsel fees of The First National Bank of Boston, as Agent for the five lending banks and the printing of the bank loan agreements, are estimated not to exceed $700 for NEPCO and $400 for Lowell, or the aggregate sum of $1,100.

The applications-declarations further state that no state commission has jurisdiction over the proposed transactions.

Each of the applicants-declarants request that the Commission's order herein become effective forthwith upon issuance.

Said applications-declarations having been duly filed on May 2, 1951, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said applications-declarations within the period specified, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said applications-declarations that the requirements of the applicable provisions of the act and rules thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said applications-declarations be permitted to become effective forthwith:

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of said act, that the said applications-declarations be, and hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-6562; Filed, June 6, 1951; 8:45 a. m.]

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[File No. 70-2625]

LAWRENCE GAS AND ELECTRIC CO.

ORDER AUTHORIZING ISSUANCE OF PROMISSORY NOTES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 31st day of May A. D. 1951.

Lawrence Gas and Electric Company ("Lawrence"), a public utility subsidiary company of New England Electric System, a registered holding company, having filed a declaration, pursuant to section 7 of the Public Utility Holding Company Act of 1935 and Rule U-42 (b) (2) promulgated thereunder, with respect to the following transactions:

Lawrence proposes, under the terms and provisions of a bank loan agreement, to issue to five banks, namely, The First National Bank of Boston, The Chase National Bank of the City of New York, Central Hanover Bank and Trust Company, Irving Trust Company and The New York Trust Company, from time to time but not later than December 31, 1951, promissory notes in an aggregate principal amount up to but not exceeding $2,000,000. Said notes will mature April 1, 1952 and will bear interest at the rate of not less than 2½ percent per annum nor more than 2¾ percent per annum. The proposed bank loan agreement provides, among other things, for the payment of commitment commissions at the rate of ¼ of 1 percent per annum for the period from May 15, 1951, to December 31, 1951, on the average daily difference between the amount of the banks' commitments and the amount borrowed.

The proceeds to be derived from the proposed notes will be used by Lawrence for the payment of $100,000 face amount of presently outstanding promissory notes and to finance temporarily its construction program through the year 1951 and to pay for the conversion costs in connection with the distribution of natural gas which the company expects will be available in the latter half of 1951.

Lawrence proposes that if any permanent financing is done, or if all or substantially all of its gas properties are sold, before the maturity of the notes proposed to be issued, it will apply the proceeds therefrom in reduction of, or in total payment of, notes then outstanding, and the balance of such amount of notes then authorized but unissued, if any, will be reduced by the amount, if any, by which such permanent financing, or the proceeds from the sale of gas properties, exceeds the notes at the time outstanding.

The declaration states that incidental services in connection with the proposed transactions will be performed, at cost, by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed $1,000. Other expenses, including out-of-pocket expenses and counsel fees of The First National Bank of Boston, as Agent for the five lending banks and the printing of the bank loan agreements, are estimated not to exceed $400.

The declaration further states that no state commission has jurisdiction over the proposed transactions.

Lawrence requests that the Commission's order herein become effective upon issuance.

Said declaration having been duly filed on May 4, 1951, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promul-

gated pursuant to said act and the Commission not having received a request for hearing with respect to said declaration within the period specified, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective:

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of said act, that the said declaration, be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-6563; Filed, June 6, 1951; 8:45 a. m.]

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[File No. 70-2633]

INDIANA & MICHIGAN ELECTRIC CO.

NOTICE OF PROPOSED BORROWING OF FUNDS FROM CERTAIN BANKING INSTITUTIONS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the first day of June A. D. 1951.

Notice is hereby given that Indiana & Michigan Electric Company ("Indiana & Michigan"), an electric utility subsidiary company of American Gas and Electric Company, a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935, and has designated section 6 (b) of the act as being applicable to the proposed transactions.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Indiana & Michigan proposes to borrow not to exceed in the aggregate $7,000,000, from time to time prior to December 31, 1952, from certain banking institutions and to issue notes in evidence thereof. The proposed borrowings will be made in the indicated amounts from the following banks:

| *Name of Bank and Address* | *Amount* |
|---|---|
| Irving Trust Co., New York, N. Y. | $2,250,000 |
| Guaranty Trust Co. of New York, New York, N. Y. | 2,250,000 |
| Bankers Trust Co., New York, N. Y. | 1,250,000 |
| Mellon National Bank & Trust Co., Pittsburgh, Pa. | 1,250,000 |

The notes to be issued by Indiana & Michigan evidencing such borrowings will be dated as of the date the money is borrowed in each case and will mature 9 months or less after the date of issuance. It is expected that the initial borrowing will be in the aggregate amount of $2,000,000 and will be made on or before July 1, 1951. The notes evidencing such initial borrowing will bear interest from the date thereof at the then current prime credit rate which is presently 2½ percent per annum. Subsequent borrowings will bear interest from the respective dates thereof at the then current prime credit rate. In that connection, Indiana & Michigan states that at least 10 days prior to each proposed subsequent borrowing, it will file an amendment to its application setting forth the amount of the proposed borrowing and the rate of interest to be charged thereon. Applicant requests that each such amendment become effective 10 days after the filing thereof without further order of the Commission, provided no action is taken by the Commission with respect thereto within such 10 day period.

Indiana & Michigan further states that the notes may be prepaid from time to time in whole or in part without premium. No finders fees or commissions are to be paid by Indiana & Michigan.

The proceeds from the proposed borrowings will be used to enable Indiana & Michigan to proceed with its construction program during the years 1951 and 1952. The applicant states that a program of permanent financing will be undertaken by the company in 1952 which will provide, among other things, for the payment of the then outstanding notes.

The application states that the Public Service Commission of Indiana has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 14, 1951, at 5:30 p. m. e. d. s. t. request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said application, as filed or as subsequently amended, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary: Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after June 14, 1951, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-6567; Filed, June 6, 1951; 8:46 a. m.]

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[File No. 70-2641]

WASHINGTON WATER POWER CO.

NOTICE OF PROPOSED BORROWING OF FUNDS FROM CERTAIN BANKING INSTITUTIONS

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 31st day of May 1951.

Notice is hereby given that The Washington Water Power Company ("Washington"), an electric utility subsidiary of American Power & Light Company, a registered holding company, has filed an application with this Commission under the Public Utility Holding Company Act of 1935 and has designated section 6 (b) of said act as being applicable to the proposed transactions.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Washington proposes to borrow from Guaranty Trust Company of New York, Mellon National Bank and Trust Company of Pittsburgh, Pennsylvania, and Seattle First National Bank (Spokane and Eastern branch), Spokane, Washington, under a revolving credit, an aggregate principal amount of not to exceed $26,000,000, from time to time prior to June 15, 1954, and to issue notes in evidence thereof. The notes evidencing the loans would bear interest, from their respective dates until they become due, at the rate of 2¾ percent per annum until June 15, 1952, and 2⅞ percent thereafter to maturity. All such notes would mature not later than June 15, 1954. Each of the above-named banks would participate in the proposed borrowings in amounts not to exceed those designated in the Credit Agreement between the three banks and Washington. Under the Credit Agreement, Washington would pay a commitment fee of ½ of 1 percent per annum on the daily average unused amount of such commitment to June 15, 1954.

Washington proposes to use a portion of the proceeds from the above-mentioned loans to repay the entire balance of the Company's 2 percent bank loans from Seattle-First National Bank (Spokane and Eastern branch), of which a maximum principal amount of $7,150,000 will be outstanding prior to their maturity on October 31, 1951. The balance of the proceeds would be used to meet necessary expenditures to be incurred in connection with the Company's construction program.

Washington states that it proposes to take the first step toward a permanent financing program in the latter part of 1951 or early in 1952, at which time the Company proposes to issue first mortgage bonds to the maximum amount possible and to retire a large part of all of the bank loans of the Company then outstanding. The Company further states that, conditioned upon earnings being sufficient, it proposes thereafter to issue additional first mortgage bonds to the extent possible and the proceeds from such additional bonds would be used toward reducing the Company's bank loans. Washington states that, at the time of its first permanent debt financing, it will pursue a program for the complete refinancing of all of the bank loans and such program will provide for the retirement of the Company's presently outstanding $6 Preferred Stock.

The applicant states that the notes may be prepaid from time to time in whole or in part. No finder's fees or commissions are to be paid by Washington.

The applicant further states that the Washington Public Service Commission and the Public Utilities Commission of the State of Idaho have jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 13, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said application, as filed or as subsequently amended, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after June 13, 1951, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[F. R. Doc. 51-6566; Filed, June 6, 1951; 8:46 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 17856]

HERMAN AHRENS

In re: Trusts under will of Herman Ahrens, deceased. File No. D-28-12981; E. T. sec. 17117.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Marie Bock, Martin A. Borgfeldt, Anna Borgfeldt Kahrs, Johann H. Borgfeldt, Georg F. Borgfeldt, and Henry R. Muhler, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Marie Bock, and the issue, names unknown, of Maria Borgfeldt, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Henry Ahrens, deceased, and in and to the trusts established under the will of Henry Ahrens, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by John Rademacher, as surviving trustee, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the issue, names unknown, of Marie Bock, and the issue, names unknown, of Maria Borgfeldt, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 18, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 51-6597; Filed, June 6, 1951; 8:50 a. m.]

[Vesting Order 17934]

HILDA SAFTENBERGER

In re: Stock owned by Hilda Saftenberger, also known as Hilda Sastenberger. F-28-22402-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hilda Saftenberger, also known as Hilda Sastenberger, whose last known address is Wurzburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Two and three tenths (2 3/10ths) shares of $10.00 par value common stock of Cities Service Company, Incorporated, 60 Wall Street, New York 5, New York, evidenced by four (4) certificates for twenty three (23) shares of old common stock of the aforesaid Cities Service Company, Incorporated, three of said certificates in the custody of Richard Seitz, 148-26 89th Avenue, Jamaica 2, New York, numbered VL-670351 for ten (10) shares old stock and registered in the name of Hilda Sastenberger, BL-41752 for ten (10) shares old stock and registered in the name of Hilda Saftenberger, and XL-223154 for one (1) share old stock and registered in the name of Hilda Saftenberger; and one of said certificates for two (2) shares of old stock numbered XL-390645 and registered in the name of Hilda Sastenberger, together with all declared and unpaid dividends thereon, and any and all rights to receive new certificates for two and three tenths (2 3/10ths) shares of $10.00 par value common stock of the aforesaid Cities Service Company, Inc.,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 24, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Assistant Attorney General,*
*Director, Office of Alien Property.*

[F. R. Doc. 51-6600; Filed, June 6, 1951; 8:50 a. m.]